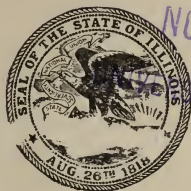


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STATE OF ILLINOIS

HENRY HORNER, Governor



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BEAUTY CULTURE LAW



DEPARTMENT OF
REGISTRATION and EDUCATION
Division of Registration



SPRINGFIELD, ILLINOIS

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STATE OF ILLINOIS
DEPARTMENT OF
REGISTRATION and EDUCATION

JOHN J. HALLIHAN,
Director

EUGENE R. SCHWARTZ,
Superintendent of Registration

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GENERAL RULES GOVERNING EXAMINATIONS

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- § 1. All communications should be addressed to the Superintendent of Registration.
 - § 2. All examinations must be written in the ENGLISH language.
 - § 3. Application and fee must be on file at least fifteen days before date of examination. All preliminary qualifications must be verified before examination.
 - § 4. Unmounted photo, 3 x 5 inches, must accompany application. A duplicate of the photo must be presented at examination, both bearing certificate as to signature and identity by the two persons who signed the letters of recommendation accompanying photo.
 - § 5. Applicants must present letters of admission and photographs on day of examination.
 - § 6. Examinations will begin promptly at 8:30 A. M.
 - § 7. Applicants taking the Beauty Culture examination must make a general average of 75% in both the practical and written work, with not less than 60% in any branch. The examination includes all branches of the Beauty Culture profession.
 - § 8. Applications of unsuccessful applicants may be reinstated upon the payment of a fee of five dollars. An unsuccessful applicant is required to re-take the subjects in which she failed to make a grade of 75%.
 - § 9. Remittances should be made by postal or express money order or bank draft. DO NOT SEND CURRENCY OR PERSONAL CHECK.

BEAUTY CULTURE LAW

(HOUSE BILL No. 355. APPROVED JUNE 30, 1925.)

AN ACT *relating to the practice of beauty culture.*

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

SECTION 1. After the first day of October, 1925, it shall be unlawful for any person to practice, or attempt to practice, beauty culture, without a certificate of registration as a registered beauty culturist, issued by the Department of Registration and Education, pursuant to the provisions of this Act and of the Civil Administrative Code.

After the first day of October, 1925, it shall also be unlawful for any person to serve, or attempt to serve, as an apprentice under a registered beauty culturist without a certificate of registration as a registered apprentice issued by the Department of Registration and Education, pursuant to the provisions of this Act and of the Civil Administrative Code.

§ 2. Any one or any combination of the following practices constitutes the practice of beauty culture when done for cosmetic or beautifying purposes and not for the treatment of disease or of muscular or nervous disorder.

The application of cosmetic preparations to the human body by massaging, stroking, kneading, slapping, tapping, stimulating, manipulating, exercising, cleansing, beautifying, or by means of devices, apparatus or appliances; arranging, dressing, marcelling, curling, waving, cleansing, singeing, bleaching, coloring, dyeing, tinting, or otherwise treating by any means the hair of any person. However, the provisions of this Act shall not authorize any registered beauty culturist to cut or clip the hair of any person unless he has first obtained a certificate

of registration as a barber under the provisions of "An Act to regulate the pursuit of the business, art and avocation of a barber, and to insure the better qualifications of persons following such business in the State of Illinois," approved June 10, 1909, as amended.

§ 3. No registered apprentice may independently practice beauty culture. A registered apprentice may, however, under the immediate personal supervision of a registered beauty culturist, assist a registered beauty culturist in the practice of beauty culture; *provided, however,* that no registered beauty culturist may receive from such registered apprentice any money or thing of value for such assistance.

§ 4. The provisions of this Act do not apply to registered barbers, except as to permanent waving and marcel waving.

§ 5. A person is qualified to receive a certificate of registration as a registered beauty culturist:

(a) Who is at least sixteen years of age; and

(b) Who is of good moral character and temperate habits; and

(c) Who has graduated from an eighth grade elementary school, or who has completed an equivalent course of study as determined by an examination conducted by the Department of Registration and Education; and

(d) Who has either studied beauty culture for one year as a registered apprentice under a beauty culturist registered under the laws of this State, or has graduated from a school of beauty culture approved by the Department of Registration and Education. No school of beauty culture shall be approved by the Department of Registration and Education unless it has a minimum requirement of a course of study consisting of not less than six hundred and twenty-five (625) hours. Time spent in the study of beauty culture under a beauty culturist

registered or licensed under the laws of another state or territory of the United States or of a foreign country or province pursuant to the provisions of section 13 of this Act, shall, however, be credited upon the period of study required by the provisions of this paragraph; and

(e) Who has passed a satisfactory examination conducted by the Department of Registration and Education to determine his fitness to receive a certificate of registration as a registered beauty culturist.

§ 6. A person is qualified to receive a certificate as a registered apprentice:

(a) Who is at least sixteen years of age; and

(b) Who is of good moral character and temperate habits; and

(c) Who has graduated from an eighth grade elementary school, or who has completed an equivalent course of study as determined by an examination conducted by the Department of Registration and Education; and

(d) Who has entered upon the study of beauty culture under a beauty culturist registered under the laws of this State.

Any person who, upon the first day of July, 1925, is a student in a school of beauty culture or is studying beauty culture under a practicing beauty culturist, is exempt from the provisions of this section relating to a grammar school education, and is also exempt from the provisions of this Act relating to the minimum requirement of a school of beauty culture approved by the Department of Registration and Education.

§ 7. Every person who desires to obtain a certificate of registration shall apply therefor to the Department of Registration and Education in writing, on blanks prepared and furnished by the Department of Registration and Education. Each application shall contain proof

of the particular qualifications required of the applicant, shall be verified by the applicant under oath, and shall be accompanied by the required fee.

§ 8. The Department of Registration and Education shall hold examinations of applicants for certificates of registration as registered beauty culturists at such times and places as it may determine.

The examination of applicants for certificates of registration as registered beauty culturists may include both practical demonstrations and written or oral tests, and shall embrace the subjects normally taught in schools of beauty culture approved by the Department of Registration and Education.

§ 9. Whenever the provisions of this Act have been complied with, the Department of Registration and Education shall issue a certificate of registration as a registered beauty culturist or a certificate of registration as a registered apprentice, as the case may be.

Any resident of this State who, prior to the first day of October, 1925, applies to the Department of Registration and Education, and proves either:

(a) That for one year immediately preceding the first day of July, 1925, he was continuously engaged at an established place of business in this State or any other state, in the practice of beauty culture; or

(b) That he had, prior to the first day of July, 1925, graduated from a school of beauty culture, shall be granted without examination, upon payment of the required fee, a certificate of registration as a registered beauty culturist.

Any person who, prior to the first day of October, 1925, applies to the Department of Registration and Education and proves that immediately prior to the date of his application he was studying beauty culture under a beauty culturist in this State, shall be granted a cer-

tificate of registration as a registered apprentice and shall be credited with the time thus spent in the study of beauty culture.

§ 10. Every holder of a certificate of registration shall display it in a conspicuous place in his principal office, place of business or employment.

Whenever a registered beauty culturist practices beauty culture outside of or away from his principal office, place of business or employment, he shall deliver to each person in his care a certificate of identification. This certificate shall contain his signature, the number and date of his certificate of registration, the post office address of his principal office, place of business or employment, and the date upon which the certificate of identification is delivered to the person under his care.

§ 11. Every registered beauty culturist and every registered apprentice who continues in active practice or service, shall, annually, on or before the first day of April of each year, renew his certificate of registration and pay the required renewal fee. Every certificate of registration which has not been renewed during the month of April in any year, shall expire on the first day of May in that year. A registered beauty culturist or a registered apprentice whose certificate of registration has expired may have his certificate of registration restored immediately upon payment of the required restoration fee.

Any registered beauty culturist who retires from the practice of beauty culture for not more than five years may renew his certificate of registration upon payment of all lapsed renewal fees.

§ 12. The Department of Registration and Education may either refuse to renew, or may suspend, or may revoke any certificate of registration for any one or combination of the following causes:

(a) Conviction of a felony as shown by a certified copy of the record of the court of conviction;

(b) The obtaining of or an attempt to obtain a certificate of registration, or money, or any other thing of value, by fraudulent misrepresentation;

(c) Practice in the profession, or an attempt to practice in the profession, by fraudulent misrepresentation;

(d) Gross malpractice or gross incompetency;

(e) Continued practice by a person knowingly having an infectious or contagious disease;

(f) Advertising, by means of knowingly false or deceptive statements;

(g) Violating any of the sanitary regulations as provided in this Act;

(h) Habitual drunkenness or habitual addiction to the use of morphine, cocaine or other habit forming drugs;

(i) Immoral or unprofessional conduct;

The Department of Registration and Education may neither refuse to issue, nor refuse to renew, nor suspend, nor revoke, any certificate of registration, however, for any of these causes, unless the person accused has been given at least twenty days' notice in writing of the charge against him and a public hearing by the Department of Registration and Education.

Upon the hearing of any such proceedings, the Director of Registration and Education, the Assistant Director of Registration and Education, and the Superintendent of Registration may administer oaths and the Department of Registration and Education may procure, by its subpoena, the attendance of witnesses and the production of relevant books and papers.

Any circuit court or any judge of a circuit court, either in term time or in vacation, upon

application either of the accused or of the Department of Registration and Education may, by order duly entered, require the attendance of witnesses, and the production of relevant books and papers before the Department of Registration and Education in any hearing relating to the refusal, suspension or revocation of certificates of registration. Upon refusal or neglect to obey the order of the court or judge, the court or judge may compel, by proceedings for contempt of court, obedience of its or his order.

§ 13. Upon payment of the required fee, an applicant who is a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province may, without examination, be granted a certificate of registration as a registered beauty culturist by the Department of Registration and Education in its discretion upon the following conditions:

(a) That the applicant is at least sixteen years of age and of good moral character and habits; and

(b) That the requirements for the registration or licensing of beauty culturists in the particular state, territory, country or province were, at the date of the license, substantially equivalent to the requirements then in force in this State.

The Department of Registration and Education shall prescribe reasonable rules and regulations governing the recognition of and the credit to be given to the study of beauty culture under a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province by an applicant for a certificate of registration as a registered beauty culturist.

§ 14. The fee to be paid by an applicant for an examination to determine his fitness to re-

ceive a certificate of registration as a registered beauty culturist is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate of registration as a registered beauty culturist is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate of registration as a registered apprentice is one dollar (\$1.00).

The fee to be paid by an applicant to determine his preliminary education is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate of registration as a registered beauty culturist, who applies therefor, pursuant to the provisions of section 9 of this Act, prior to the first day of October, 1925, is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate of registration as a registered beauty culturist, who is a beauty culturist, registered or licensed under the laws of another state or territory of the United States or a foreign country or province, is fifteen dollars (\$15.00).

The fee to be paid upon the renewal of a certificate of registration is one dollar (\$1.00).

The fee to be paid for the restoration of an expired certificate of registration as a registered beauty culturist is five dollars (\$5.00).

The fee to be paid for the restoration of an expired certificate of registration as a registered apprentice is two dollars (\$2.00).

§ 15. The Department of Registration and Education may adopt reasonable rules and regulations relating to the enforcement of the provisions of this Act.

(b) The Department of Registration and Education may also, subject to the approval of the Department of Public Health, prescribe reasonable rules and regulations governing the sanitary regulation and inspection of beauty culture shops.

§ 16. Each of the following, if done after October 1, 1925, constitutes a misdemeanor,

punishable upon conviction by a fine of not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00):

(a) The practice of beauty culture or an attempt to practice beauty culture without a certificate of registration as a registered beauty culturist;

(b) Service as an apprentice under a registered beauty culturist or an attempt to serve as an apprentice under a registered beauty culturist without a certificate of registration as an apprentice.

(c) Permitting any person in one's employ, supervision or control, to serve as an apprentice under a registered beauty culturist, unless that person has a certificate of registration as a registered apprentice;

(d) The obtaining of or an attempt to obtain a certificate of registration, or money or any other thing of value, by fraudulent misrepresentation;

(e) Practice in the profession, or an attempt to practice in the profession by fraudulent misrepresentation;

(f) Willfully making of any false oath or affirmation whenever an oath or affirmation is required by this Act.

(g) The violation of the provisions of section 10 of this Act.

§ 17. The Department of Registration and Education shall keep a record, which shall be open to public inspection at all reasonable times, of its proceedings relating to the issuance, refusal, renewal, suspension and revocation of certificates of registration. This record shall also contain the name, known place of business and residence and the date and number of the certificate of registration of every registered beauty culturist and registered apprentice in this State.

§ 18. This Act may be known and cited as "The Illinois Beauty Culture Act."

APPROVED June 30, 1925.

SANITARY RULES GOVERNING BEAUTY CULTURE SHOPS

1. All persons practicing beauty culture as defined must provide a suitable place, equipped to give adequate service to patrons and subject to inspection by the constituted authorities.

2. The use of the beauty parlor as a living, dining, or sleeping apartment is prohibited. If a beauty parlor is located in a private residence or in connection with some business, a separate room must be provided for beauty parlor work.

3. The location of a beauty parlor in a building occupied or frequented by persons of an immoral character is prohibited. The use of a shop for immoral purposes shall be sufficient cause for forfeiture of a license.

4. Floors, walls, furniture and other fixtures must be kept clean at all times. All bowls, basins, jars, etc., must be antiseptically cleansed immediately after using.

5. Every owner of any beauty parlor must supply hot and cold water in such quantities as may be necessary to conduct said beauty parlor in a sanitary manner.

6. No owner or manager of a beauty parlor shall permit any person suffering from a communicable disease, or from any venereal disease in a communicable form, to work in said beauty parlor.

7. Every person employed in a beauty parlor shall use separate and clean towels for each patron and shall, while serving said patron, wear washable outer linen aprons, uniforms or coats, which shall be kept clean.

8. After a towel has been used once it must be discarded until properly sterilized and laundered. Dipping used towels in receptacles containing hot water and using same on patron is insanitary and strictly forbidden. All used towels must be boiled at least ten minutes.

9. No person employed in a beauty parlor shall use the head rest of any operating chair under his or her control unless the head rest is covered, and which cover has been washed since last being used; or covered by a clean piece of paper toweling, which must be renewed after each patron.

10. Combs and brushes must be cleansed thoroughly after each using, with soap and hot water, and covered in a 1-1000 to 1-2000 bi-chloride solution, 5% phenol, or other established and approved germicidal solution, for one hour, removed and rinsed in hot water, dried, and placed in a closed container which is full of the fumes of formaldehyde gas changed daily.

11. Glass or metal articles which cannot be boiled must be cleansed in soap and water, wiped in alcohol, and kept in a formaldehyde sterilizer, or immersed in an approved germicidal solution for not less than one hour.

12. No employee of any beauty parlor shall massage any person when the surface to be massaged is inflamed or broken out, or contains pus, unless said person is provided with clean sterilized instruments and cups by the owner of the shop, and the same are properly sterilized and cared for afterwards.

13. Every person engaged in a beauty parlor must thoroughly cleanse his or her hands immediately before and after serving each patron.

14. All creams, lotions, and other cosmetics used for patrons must be kept in clean and closed containers.

15. Open powder boxes must not be used in a reception room for patrons, and the powder must be in shakers or similar receptacles.

16. Lotions or fluids must be poured into a clean glass or other sterilizable container and applied to patrons by means of cotton or sterilized applicators.

17. Creams and other semi-solid substances must be dipped from the container with a sterile article or spatula. Removing such substances with the fingers is prohibited.

18. Cosmetics must be removed by means of cotton or gauze pledgets, absorbent soft paper, or other sterilizable material.

19. All persons engaged in a beauty parlor must display license cards in a conspicuous place, preferably in the booth where such person is employed.

20. Gross continued negligence in observing rules and regulations shall justify the revoking of a license.

21. Enforcement authorized by law, through local Board of Health.

APPROVED April 30, 1926.

FRANK J. JIRKA, M. D.,
Director of Public Health.

EUGENE R. SCHWARTZ,
Superintendent of Registration.

JOHN J. HALLIHAN,
Director of Registration and Education.

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STATE OF ILLINOIS
HENRY HORNER, Governor



THE ILLINOIS BEAUTY CULTURE
ACT

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DEPARTMENT OF
REGISTRATION and EDUCATION

JOHN J. HALLIHAN
Director
SPRINGFIELD

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Division of Registration

HOMER J. BYRD

Superintendent

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1935 GENERAL RULES GOVERNING
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 - § 2. All examinations must be written in the ENGLISH language.
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 - § 5. Applicants must present letters of admission and photographs on day of examination.
 - § 6. Examinations will begin promptly at 8:30 A. M.
 - § 7. Applicants taking the Beauty Culture examination must make a general average of 75% in both the practical and written work, with not less than 60% in any branch. The examination includes all branches of the Beauty Culture profession.
 - § 8. Applications of unsuccessful applicants may be reinstated upon the payment of a fee of five dollars. An unsuccessful applicant is required to retake the subjects in which she failed to make a grade of 75%.
 - § 9. Remittances should be made by postal or express money order or bank draft. DO NOT SEND CURRENCY OR PERSONAL CHECK.

THE ILLINOIS BEAUTY CULTURE ACT

An Act relating to the practice of beauty culture, approved June 30, 1925, as amended by Acts approved June 20, 1935, and July 10, 1935.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

SECTION 1. After the first day of October, 1925, it shall be unlawful for any person to practice, or attempt to practice, beauty culture, without a certificate of registration as a registered beauty culturist, issued by the Department of Registration and Education, pursuant to the provisions of this Act and of the Civil Administrative Code.

After the first day of October, 1925, it shall also be unlawful for any person to serve, or attempt to serve, as an apprentice under a registered beauty culturist without a certificate of registration as a registered apprentice issued by the Department of Registration and Education, pursuant to the provisions of this Act and of the Civil Administrative Code.

§ 2. Any one or any combination of the following practices constitutes the practice of beauty culture when done for cosmetic or beautifying purposes and not for the treatment of disease or of muscular or nervous disorder.

The application of cosmetic preparations to the human body by massaging, stroking, kneading, slapping, tapping, stimulating, manipulating, exercising, cleansing, beautifying, or by means of devices, apparatus or appliances; arranging, dressing, marcelling, curling, waving, cleansing, singeing, bleaching, coloring, dyeing, tinting, or otherwise treating by any means the hair of any person. However, the provisions of this Act shall not

authorize any registered beauty culturist to cut or clip the hair of any person unless he has first obtained a certificate of registration as a barber under the provision of "An Act to regulate the pursuit of the business, art and avocation of a barber, and to insure the better qualifications of persons following such business in the State of Illinois," approved June 1, 1909, as amended.

NOTE: Provisions of Section 2 denying beauty culturists right to cut hair without barbers' license held to deny due process in violation of Const. art. 2, par. 2, since requirement is unreasonable. *Bankhart v. Walsh*, 339-132, 171 N. E. 154.

§ 3. No registered apprentice may independently practice beauty culture. A registered apprentice may, however, under the immediate personal supervision of a designated registered beauty culturist, assist a registered beauty culturist in the practice of beauty culture; provided, however, that no registered beauty culturist may receive from such registered apprentice any money or thing of value for such assistance. The designation of such registered beauty culturist shall be reported to the Department of Registration and Education by the registered beauty culturist so designated. Not more than one registered apprentice shall serve in any beauty culture establishment, provided, however, that the foregoing paragraph shall not apply to students in schools of beauty culture. (As amended by Act approved June 20, 1935.)

§ 4. The provisions of this Act do not apply to registered barbers, except as to permanent waving and marcel waving.

§ 4-a. The Department of Registration and Education shall exercise, but subject to the provisions of this Act, the following functions, powers and duties:

(1) Conduct examinations to ascertain the qualifications and fitness of applicants for certificates of registration as registered beauty culturists, and pass upon the qualifications of applicants for reciprocal licenses, certificates and authorities.

(2) Prescribe rules and regulations for a method of examination of candidates.

(3) Prescribe rules and regulations defining what shall constitute a school, college or university, or department of a university, or other institution, reputable and in good standing, and to determine the reputability and good standing of a school, college or university, or department of a university or other institution reputable and in good standing by reference to a compliance with such rules and regulations; provided that no school, college or university, or department of a university or other institution that refuses admittance to applicants, solely on account of race, color or creed shall be considered reputable and in good standing.

(4) Establish a standard of preliminary education deemed requisite to admission to a school, college or university, and to require satisfactory proof of the enforcement of such standard by said schools, colleges or universities.

(5) Conduct hearings on proceedings to suspend or revoke or refuse renewals of licenses, certificates or authorities of persons applying for registration or registered under the provisions of this Act and to revoke or refuse to renew such licenses or certificates or authorities.

(6) Prescribe reasonable rules and regulations governing the sanitary regulation and inspection of beauty culture shops, subject to the approval of the Department of Public Health.

(7) Formulate rules and regulations when required in any Act to be administered.

None of the foregoing functions or duties enumerated in this section shall be exercised by the Department of Registration and Education except upon the action and report in writing of the Beauty Culture Committee, which shall be composed of persons designated from time to time by the Director of Registration and Education to take such action and to make such report for the profession involved herein as follows:

Three (3) practical beauty culturists, no two to be graduates of the same school, each of whom shall have been for the last five years preceding his appointment engaged in the occupation of beauty culture in this State, and no one of whom is a member of, or a stockholder in any school of beauty culture, or a manufacturer, jobber or stockholder in any factory of beauty culture articles.

The action or report in writing of a majority of the Committee designated shall be sufficient authority upon which the Director of Registration and Education may act.

In making the designation of persons to act, the Director shall give due consideration to recommendations by members of the profession and by organizations therein.

Whenever the Director is satisfied that substantial justice has not been done in an examination, he may order a reexamination by the same or other examiners. (Added by Act approved July 10, 1935.)

§ 5. A person is qualified to receive a certificate of registration as a registered beauty culturist:

(a) Who is at least sixteen years of age:
and

(b) Who is of good moral character and temperate habits: and

(c) Who has graduated from an eight grade elementary school, or who has completed an equivalent course of study as determined by an examination conducted by the Department of Registration and Education: and

(d) Who has either studied beauty culture for one year as a registered apprentice under a beauty culturist registered under the laws of this State, or has graduated from a school of beauty culture approved by the Department of Registration and Education. No school of beauty culture shall be approved by the Department of Registration and Education unless it has a minimum requirement of a course of study consisting of not less than one thousand (1,000) hour extending over a period of not less than six (6) months. Time spent in the study of beauty culture under a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province pursuant to the provisions of Section 13 of this Act, shall, however, be credited upon the period of study required by the provisions of this paragraph: and

(e) Who has passed a satisfactory examination conducted by the Department of Registration and Education to determine his fitness to receive a certificate of registration as a registered beauty culturist. (As amended by Act approved June 20, 1935.)

§ 6. A person is qualified to receive a certificate as a registered apprentice:

(a) Who is at least sixteen years of age; and

(b) Who is of good moral character and temperate habits; and

(c) Who has graduated from an eight grade elementary school, or who has completed an equivalent course of study as determined

by an examination conducted by the Department of Registration and Education; and

(d) Who has entered upon the study of beauty culture under a beauty culturist registered under the laws of this State.

Any person who, upon the first day of July, 1925, is a student in a school of beauty culture or is studying beauty culture under a practicing beauty culturist, is exempt from the provisions of this section relating to a grammar school education, and is also exempt from the provisions of this Act relating to the minimum requirement of a school of beauty culture approved by the Department of Registration and Education.

§ 7. Every person who desires to obtain a certificate of registration shall apply therefor to the Department of Registration and Education in writing, on blanks prepared and furnished by the Department of Registration and Education. Each application shall contain proof of the particular qualifications required of the applicant, shall be verified by the applicant under oath, and shall be accompanied by the required fee.

§ 8. The Department of Registration and Education shall hold examinations of applicants for certificates of registration as registered beauty culturists at such times and places as it may determine.

The examination of applicants for certificates of registration as registered beauty culturists may include both practical demonstrations and written or oral tests, and shall embrace the subjects normally taught in schools of beauty culture approved by the Department of Registration and Education.

The Department of Registration and Education shall conduct not less than four (4) examinations for certificates of registration as

registered beauty culturists a calendar year. (As amended by Act approved June 20, 1935.)

§ 9. Whenever the provisions of this Act have been complied with, the Department of Registration and Education shall issue a certificate of registration as a registered beauty culturist or a certificate of registration as a registered apprentice, as the case may be.

Any resident of this State who, prior to the first day of October, 1925, applies to the Department of Registration and Education, and proves either:

(a) That for one year immediately preceding the first day of July, 1925, he was continuously engaged at an established place of business in this State or any other state, in the practice of beauty culture; or

(b) That he had, prior to the first day of July, 1925, graduated from a school of beauty culture, shall be granted without examination, upon payment of the required fee, a certificate of registration as a registered beauty culturist.

Any person who, prior to the first day of October, 1925, applies to the Department of Registration and Education and proves that immediately prior to the date of his application he was studying beauty culture under a beauty culturist in this State, shall be granted a certificate of registration as a registered apprentice and shall be credited with the time thus spent in the study of beauty culture.

§ 10. Every holder of a certificate of registration shall display it in a conspicuous place in his principal office, place of business or employment.

Whenever a registered beauty culturist practices beauty culture outside of or away from his principal office, place of business or employment, he shall deliver to each person in his care a certificate of identification. This

certificate shall contain his signature, the number and date of his certificate of registration, the post office address of his principal office, place of business or employment, and the date upon which the certificate of identification is delivered to the person under his care.

§ 11. Every registered beauty culturist and every registered apprentice who continues in active practice or service, shall, annually, on or before the first day of April of each year, renew his certificate of registration and pay the required renewal fee. Every certificate of registration which has not been renewed during the month of April in any year, shall expire on the first day of May in that year. A registered beauty culturist whose certificate of registration has expired may have his certificate of registration restored immediately upon payment of all lapsed renewal fees and also upon payment of the required restoration fee, provided, however, not more than five (5) years have elapsed since the date of expiration.

No certificate of any registered apprentice shall be renewed more than twice and then not unless in the case of the second application for renewal, the applicant presents to the Department of Registration and Education the following: a statement of the time spent in the study of beauty culture and practical application of beauty culture certified by the registered beauty culturist under whom the service as an apprentice was performed: an affidavit of the registered beauty culturist under whom the service as an apprentice was performed verifying the fact that the applicant has spent at least two hundred fifty (250) hours in the study of beauty culture not including the practical application: provided, however, that nothing herein contained shall operate to prevent a registered appren-

tice from holding an apprentice license for one year.

An applicant whose certificate as a registered apprentice shall have been renewed twice, shall not, subsequently, be granted a certificate as a registered apprentice in a beauty culture establishment under the personal supervision of a beauty culturist, but shall have the right to enter a school of beauty approved by the Department of Registration and Education and attend said school for not longer than the duration of the minimum course of study required for graduation from said school. Such an applicant shall not subsequently be admitted to an examination to determine his fitness to receive a certificate of registration as a beauty culturist except on the basis of graduation from said school of beauty culture.

If an applicant for registration as a registered beauty culturist shall be unsuccessful at two examinations conducted by the Department of Registration and Education, he shall, before taking a subsequent examination, furnish evidence that he has diligently pursued the study of beauty culture since his last examination. An applicant who has been rejected at the fifth examination shall not again be admitted to an examination unless the Department of Registration and Education, in its discretion, shall permit him to do so. (As amended by Act approved June 20, 1935.)

§ 12. The Department of Registration and Education may either refuse to renew, or may suspend, or may revoke any certificate of registration for any one or combination of the following causes:

(a) Conviction of a felony as shown by a certified copy of the record of the court of conviction: conviction of any of the misdemeanors listed in Section 16 of "An Act relating to the practice of beauty culture" and

as amended herein, as shown by a certified copy of the record of the court of conviction:

(b) The obtaining of or an attempt to obtain a certificate of registration, or money, or any other thing of value, by fraudulent misrepresentation:

(c) Practice in the profession, or an attempt to practice in the profession by fraudulent misrepresentation:

(d) Gross malpractice or gross incompetency:

(e) Continued practice by a person knowingly having an infectious or contagious disease:

(f) Advertising by means of knowingly false or deceptive statements:

(g) Violating any of the sanitary regulations as provided in this Act:

(h) Habitual drunkenness or habitual addiction to use of morphine, cocaine or other habit forming drugs:

(i) Immoral or unprofessional conduct:

(j) Permitting any person to use for any unlawful or fraudulent purpose one's certificate of registration as a registered beauty culturist or registered apprentice.

The Department may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts which if proven would constitute grounds for refusal, suspension or revocation as hereinabove set forth, investigate the actions of any person holding or claiming to hold a certificate.

The Department shall, before refusing to issue, suspending or revoking any certificate, at least ten (10) days prior to the date set for the hearing, notify in writing the applicant or the holder of such certificate of any charges made and shall afford such accused person an opportunity to be heard in person or by coun-

sel in reference thereto. Such written notice may be served by the delivery of the same personally to the accused person, or by mailing the same by registered mail to the place of business last theretofore specified by the accused person in his last notification to the Department. At the time and place fixed in the notice, the Beauty Culture Committee designated by the Director of Registration and Education, as provided in this Act, shall proceed to hearing of the charges and both the accused person and the complainant shall be accorded ample opportunity to present in person or by counsel, such statements, testimony, evidence and arguments as may be pertinent to the charge or to any defense thereto. The Committee may continue such hearing from time to time. If the Committee shall not be sitting at the time and place fixed in the notice or at the time and place to which hearing shall have been continued, the Department shall continue such hearing for a period not to exceed thirty (30) days. (As amended by Act approved July 10, 1935.)

§ 12-a. The Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Director, Assistant Director, Superintendent of Registration and any member of the Beauty Culture Committee shall each have power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department. (Added by Act approved July 10, 1935.)

§ 12-b. Any Circuit or Superior Court or any judge thereof, either in term time or va-

cation, upon the application of the accused person or complainant or of the Department, may by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the Department in any hearing relative to the application for or refusal, recall, suspension or revocation of certificates of registration, and the court or judge may compel obedience to its or his order by proceedings for contempt. (Added by Act approved July 10, 1935.)

§ 12-c. The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case wherein a certificate is revoked or suspended. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person interested in such hearing upon payment therefor of twenty-five cents per one hundred words for each original transcript and eight cents per one hundred words for each carbon copy thereof ordered with the original: Provided that the charge for any part of such transcript ordered and paid for previous to the writing of the original record thereof shall be eight cents per hundred words. (Added by Act approved July 10, 1935.)

§ 12-d. The Committee shall present to the Director its written report of its findings and recommendations. A copy of such report shall be served upon the accused person, either personally or by registered mail as provided in this section for the service of the citation. Within twenty (20) days after such service, said accused person may present to the De-

partment his motion in writing for a rehearing, which written motion shall specify the particular grounds therefor. If said accused person shall order and pay for a transcript of the record as provided in this section, the time elapsing thereafter and before such transcript is ready for delivery to him shall not be counted as part of such twenty days.

Whenever the Director is satisfied that substantial justice has not been done, he may order a rehearing by the same or another special committee. At the expiration of the time specified for filing a motion for a rehearing the Director shall have the right to take the action recommended by the committee. Upon the suspension or revocation of his certificate of registration a registrant shall be required to surrender his certificate of registration to the Department, and upon his failure or refusal so to do, the Department shall have the right to seize the same. (Added by Act approved July 10, 1935.)

§ 12-e. At any time after the suspension or revocation of any certificate, the Department may restore it to the accused person without examination, upon the written recommendation of the Beauty Culture Committee. (Added by Act approved July 10, 1935.)

§ 12-f. The Circuit or Superior Court of the County wherein the accused person resides shall have power to review any order of revocation or suspension and all questions of law and fact thereon by writ of certiorari to the Department, provided that if the accused person is not a resident of this State and the venue is not otherwise fixed herein, such venue shall be in Sangamon County.

Such writ shall be issued by the Clerk of the Court upon praecipe and it shall be served at least ten days before the return day thereof. Service upon the Director, Assistant Di-

rector or Superintendent of Registration shall be service on the Department. Such suit shall be commenced within twenty days of the accused person's receipt of notice of the order of refusal, revocation or suspension. The Department shall not be required to certify the record of its proceedings unless the accused person shall first pay to it the sum of five cents per one hundred words of such record. Exhibits shall be certified without cost.

No department order of suspension or revocation shall be set aside or vacated on any ground not specified in the written motion for rehearing provided for in Section 12-e. (Added by Act approved July 10, 1935.)

§ 12-g. An order of revocation or suspension or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Committee and the members thereof are qualified to act.

Such proof may be rebutted. Such order of revocation or suspension shall be conclusive proof that all precedent and concurrent acts of department officers and of the committee necessary to the validity of such order were pursuant to authority conferred by the Director. (Added by Act approved July 10, 1935.)

§ 12-h. Appeals from all final orders and judgments entered by a Circuit or Superior Court in review of an order of the Department may be taken directly to the Supreme Court by either party to the action within

sixty days after service of a copy of the order or judgment of the Circuit or Superior Court, and shall be governed by the rules applying to other civil cases appealed to said Supreme Court, except that formal pleadings shall not be required. (Added by Act approved July 10, 1935.)

§ 12-i. The pendency of an appeal or writ of certiorari shall not of itself stay or suspend the operation of an order of revocation or suspension; but during the pendency of such suit or appeal, the Circuit or Superior Court or the Supreme Court, as the case may be, in its discretion, may stay the operation of such order in whole or in part upon such terms and conditions as the court may prescribe. No such stay shall be granted by the court otherwise than upon ten days' notice to the Department and after a hearing. (Added by Act approved July 10, 1935.)

§ 13. Upon payment of the required fee, an applicant who is a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province may, without examination, be granted a certificate of registration as a registered beauty culturist by the Department of Registration and Education in its discretion upon the following conditions:

(a) That the applicant is at least sixteen years of age and of good moral character and habits; and

(b) That the requirements for the registration or licensing of beauty culturists in the particular state, territory, country or province were, at the date of the license, substantially equivalent to the requirements then in force in this State.

The Department of Registration and Education shall prescribe reasonable rules and regulations governing the recognition of and

the credit to be given to the study of beauty culture under a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province by an applicant for a certificate of registration as a registered beauty culturist.

§ 14. The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration as a registered beauty culturist is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate of registration as a registered beauty culturist is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate of registration as a registered apprentice is one dollar (\$1.00).

The fee to be paid by an applicant to determine his preliminary education is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate of registration as a registered beauty culturist, who applies therefor, pursuant to the provisions of section 9 of this Act, prior to the first day of October, 1925, is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate of registration as a registered beauty culturist, who is a beauty culturist, registered or licensed under the laws of another state or territory of the United States or a foreign country or province, is fifteen dollars (\$15.00).

The fee to be paid upon the renewal of a certificate of registration is one dollar (\$1.00).

The fee to be paid for the restoration of an expired certificate of registration as a registered beauty culturist is five dollars (\$5.00).

The fee to be paid for the restoration of an

expired certificate of registration as a registered apprentice is two dollars (\$2.00).

§ 15. Repealed by Act approved July 10, 1935.

§ 16. Each of the following, if done after October 1, 1925, constitutes a misdemeanor, punishable upon conviction by a fine of not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00).

(a) The practice of beauty culture or an attempt to practice beauty culture without a certificate of registration as a registered beauty culturist:

(b) Service as an apprentice under a registered beauty culturist or an attempt to serve as an apprentice under a registered beauty culturist without a certificate of registration as an apprentice:

(c) Permitting any person in one's employ, supervision or control, to serve as an apprentice under a registered beauty culturist, unless that person has a certificate of registration as a registered apprentice:

(d) The obtaining of or an attempt to obtain a certificate of registration, or money or any other thing of value by fraudulent misrepresentation:

(e) Practice in the profession, or an attempt to practice in the profession by fraudulent misrepresentation:

(f) Wilfully making of any false oath or affirmation whenever an oath or affirmation is required by this Act:

(g) The violation of the provisions of Section 10 of this Act.

(h) Permitting more than one registered apprentice to serve in one's beauty culture establishment, other than a school of beauty culture approved by the Department of Registration and Education.

(i) Permitting a registered apprentice or any other person not a registered beauty culturist serving under one's supervision to practice beauty culture independently.

(j) Aiding, abetting, or conspiring with any registered apprentice, registered beauty culturist, or any other person in violating the provisions of this Act.

(k) The violation of any of the provisions of this Act. (As amended by Act approved June 20, 1935.)

§ 17. The Department of Registration and Education shall keep a record, which shall be open to public inspection at all reasonable times, of its proceedings relating to the issuance, refusal, renewal, suspension and revocation of certificates of registration. This record shall also contain the name, known place of business and residence and the date and number of the certificate of registration of every registered beauty culturist and registered apprentice in this State.

§ 18. This Act may be known and cited as "The Illinois Beauty Culture Act."

SANITARY RULES GOVERNING BEAUTY CULTURE SHOPS

1. All persons practicing beauty culture as defined must provide a suitable place, equipped to give adequate service to patrons and subject to inspection by the constituted authorities.

2. The use of the beauty parlor as a living, dining, or sleeping apartment is prohibited. If a beauty parlor is located in a private residence or in connection with some business, a separate room must be provided for beauty parlor work.

3. The location of a beauty parlor in a building occupied or frequented by persons of an immoral character is prohibited. The use of a shop for immoral purposes shall be sufficient cause for forfeiture of a license.

4. Floors, walls, furniture and other fixtures must be kept clean at all times. All bowls, basins, jars, etc., must be antiseptically cleansed immediately after using.

5. Every owner of any beauty parlor must supply hot and cold water in such quantities as may be necessary to conduct said beauty parlor in a sanitary manner.

6. No owner or manager of a beauty parlor shall permit any person suffering from a communicable disease, or from any venereal disease in a communicable form, to work in said beauty parlor.

7. Every person employed in a beauty parlor shall use separate and clean towels for each patron and shall, while serving said patron, wear washable outer linen aprons, uniforms or coats, which shall be kept clean.

8. After a towel has been used once it must be discarded until properly sterilized

and laundered. Dipping used towels in receptacles containing hot water and using same on patron is insanitary and strictly forbidden. All used towels must be boiled at least ten minutes.

9. No person employed in a beauty parlor shall use the head rest of any operating chair under his or her control unless the head rest is covered, and which cover has been washed since last being used; or covered by a clean piece of paper toweling, which must be renewed after each patron.

10. Combs and brushes must be cleansed thoroughly after each using, with soap and hot water, and covered in a 1-1000 to 1-2000 bichloride solution, 5% phenol, or other established and approved germicidal solution, for one hour, removed and rinsed in hot water, dried, and placed in a closed container which is full of the fumes of formaldehyde gas changed daily.

11. Glass or metal articles which cannot be boiled must be cleansed in soap and water, wiped in alcohol, and kept in a formaldehyde sterilizer, or immersed in an approved germicidal solution for not less than one hour.

12. No employee of any beauty parlor shall massage any person when the surface to be massaged is inflamed or broken out, or contains pus, unless said person is provided with clean sterilized instruments and cups by the owner of the shop, and the same are properly sterilized and cared for afterwards.

13. Every person engaged in a beauty parlor must thoroughly cleanse his or her hands immediately before and after serving each patron.

14. All creams, lotions, and other cosmetics used for patrons must be kept in clean and closed containers.

15. Open powder boxes must not be used in a reception room for patrons, and the powder must be in shakers or similar receptacles.

16. Lotions or fluids must be poured into a clean glass or other sterilizable container and applied to patrons by means of cotton or sterilized applicators.

17. Creams and other semi-solid substances must be dipped from the container with a sterile article or spatula. Removing such substances with the fingers is prohibited.

18. Cosmetics must be removed by means of cotton or gauze pledgets, absorbent soft paper, or other sterilizable material.

19. All persons engaged in a beauty parlor must display license cards in a conspicuous place, preferably in the booth where such person is employed.

20. Gross continued negligence in observing rules and regulations shall justify the revoking of a license.

21. Enforcement authorized by law, through local Board of Health.

APPROVED April 30, 1926.

FRANK J. JIRKA, M. D.,
Director of Public Health;

JOHN J. HALLIHAN,
Director of Registration and Education;

HOMER J. BYRD,
Superintendent of Registration.

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THE ILLINOIS BEAUTY CULTURE ACT

(AS AMENDED)

DEPARTMENT OF
REGISTRATION and EDUCATION

JOHN J. HALLIHAN
Director
SPRINGFIELD

[Printed by authority of the State of Illinois]

Division of Registration

HOMER J. BYRD

Superintendent

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GENERAL RULES GOVERNING EXAMINATIONS

- § 1. All communications should be addressed to the Superintendent of Registration, Springfield, Ill.
- § 2. All examinations must be written in the ENGLISH language.
- § 3. Application and fee must be on file at least fifteen days before date of examination. All preliminary qualifications must be verified before examination.
- § 4. Unmounted photo, 3 x 5 inches, must accompany application. A duplicate of the photo must be presented at examination, both bearing certificate as to signature and identify by the two persons who signed the letters of recommendation accompanying photo.
- § 5. Applicants must present letters of admission and photographs on day of examination.
- § 6. Examinations will begin promptly at 8:30 A. M.
- § 7. Applicants taking the Beauty Culture examination must make a general average of 75% in both the practical and written work, with not less than 60% in any branch. The examination includes all branches of the Beauty Culture profession.
- § 8. Applications of unsuccessful applicants may be reinstated upon the payment of a fee of five dollars. An unsuccessful applicant is required to re-take the subjects in which she failed to make a grade of 75%.
- § 9. Remittances should be made by postal or express money order or bank draft, payable to the Department of Registration and Education, Springfield, Illinois. **DO NOT SEND CURRENCY OR PERSONAL CHECK.**

THE ILLINOIS BEAUTY CULTURE ACT

An Act relating to the practice of beauty culture, approved June 30, 1925, as amended by Acts approved June 20, 1935, July 10, 1935, and July 13, 1939.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

SECTION 1. After the first day of October, 1925, it shall be unlawful for any person to practice, or attempt to practice, beauty culture, without a certificate of registration as a registered beauty culturist, issued by the Department of Registration and Education, pursuant to the provisions of this Act and of the Civil Administrative Code.

After the first day of October, 1925, it shall also be unlawful for any person to serve, or attempt to serve, as an apprentice under a registered beauty culturist without a certificate of registration as a registered apprentice issued by the Department of Registration and Education, pursuant to the provisions of this Act and of the Civil Administrative Code.

§ 2. Any one or any combination of the following practices constitutes the practice of beauty culture when done for cosmetic or beautifying purposes and not for the treatment of disease or of muscular or nervous disorder.

The application of cosmetic preparations to the human body by massaging, stroking, kneading, slapping, tapping, stimulating, manipulating, exercising, cleansing, beautifying, or by means of devices, apparatus or appliances; arranging, dressing, marcelling, curling, waving, cleansing, singeing, bleaching, coloring, dyeing, tinting, or otherwise treating by any means the hair of any person. However, the provisions of this Act shall not

authorize any registered beauty culturist to cut or clip the hair of any person unless he has first obtained a certificate of registration as a barber under the provision of "An Act to regulate the pursuit of the business, art and avocation of a barber, and to insure the better qualifications of persons following such business in the State of Illinois," approved June 1, 1909, as amended.

NOTE: Provisions of Section 2 denying beauty culturists right to cut hair without barbers' license held to deny due process in violation of Const. art. 2, par. 2, since requirement is unreasonable. *Bankhart v. Walsh*, 339-132, 171 N. E. 154.

§ 3. No registered apprentice may independently practice beauty culture. A registered apprentice may, however, under the immediate personal supervision of a designated registered beauty culturist, assist a registered beauty culturist in the practice of beauty culture; provided, however, that no registered beauty culturist may receive from such registered apprentice any money or thing of value for such assistance. The designation of such registered beauty culturist shall be reported to the Department of Registration and Education by the registered beauty culturist so designated. Not more than one registered apprentice shall serve in any beauty culture establishment, provided, however, that the foregoing paragraph shall not apply to students in schools of beauty culture. (As amended by Act approved June 20, 1935.)

§ 4. The provisions of this Act do not apply to registered barbers, except as to permanent waving and marcel waving.

§ 4-a. The Department of Registration and Education shall exercise, but subject to the provisions of this Act, the following functions, powers and duties:

(1) Conduct examinations to ascertain the qualifications and fitness of applicants for certificates of registration as registered beauty culturists, and pass upon the qualifications of applicants for reciprocal licenses, certificates and authorities.

(2) Prescribe rules and regulations for a method of examination of candidates.

(3) Prescribe rules and regulations defining what shall constitute a school, college or university, or department of a university, or other institution, reputable and in good standing, and to determine the reputability and good standing of a school, college or university, or department of a university or other institution reputable and in good standing by reference to a compliance with such rules and regulations; provided that no school, college or university, or department of a university or other institution that refuses admittance to applicants, solely on account of race, color or creed shall be considered reputable and in good standing.

(4) Establish a standard of preliminary education deemed requisite to admission to a school, college or university, and to require satisfactory proof of the enforcement of such standard by said schools, colleges or universities.

(5) Conduct hearings on proceedings to suspend or revoke or refuse renewals of licenses, certificates or authorities of persons applying for registration or registered under the provisions of this Act and to revoke or refuse to renew such licenses or certificates or authorities.

(6) Prescribe reasonable rules and regulations governing the sanitary regulation and inspection of beauty culture shops, subject to the approval of the Department of Public Health.

(7) Formulate rules and regulations when required in any Act to be administered.

None of the foregoing functions or duties enumerated in this section shall be exercised by the Department of Registration and Education except upon the action and report in writing of the Beauty Culture Committee, which shall be composed of persons designated from time to time by the Director of Registration and Education to take such action and to make such report for the profession involved herein as follows:

Three (3) practical beauty culturists, no two to be graduates of the same school, each of whom shall have been for the last five years preceding his appointment engaged in the occupation of beauty culture in this State, and no one of whom is a member of, or a stockholder in any school of beauty culture, or a manufacturer, jobber or stockholder in any factory of beauty culture articles.

The action or report in writing of a majority of the Committee designated shall be sufficient authority upon which the Director of Registration and Education may act.

In making the designation of persons to act, the Director shall give due consideration to recommendations by members of the profession and by organizations therein.

Whenever the Director is satisfied that substantial justice has not been done in an examination, he may order a reexamination by the same or other examiners. (Added by Act approved July 10, 1935.)

§ 5. A person is qualified to receive a certificate of registration as a registered beauty culturist:

(a) Who is at least sixteen years of age; and

(b) Who is of good moral character and temperate habits; and

(c) Who has graduated from an eighth grade elementary school, or who has completed an equivalent course of study as determined by an examination conducted by the Department of Registration and Education; and

(d) Who has either studied beauty culture for one year as a registered apprentice under a beauty culturist registered under the laws of this State, or has graduated from a school of beauty culture approved by the Department of Registration and Education. No school of beauty culture shall be approved by the Department of Registration and Education unless it has a minimum requirement of a course of study consisting of not less than one thousand (1,000) hours extending over a period of not less than six (6) months. Time spent in the study of beauty culture under a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province pursuant to the provisions of Section 13 of this Act, shall, however, be credited upon the period of study required by the provisions of this paragraph; and

(e) Who has passed a satisfactory examination conducted by the Department of Registration and Education to determine his fitness to receive a certificate of registration as a registered beauty culturist; and

(f) Who is a citizen of the United States or who has made a declaration of intention to become a citizen or who, having made such declaration of intention, has filed a petition for naturalization within thirty days after becoming eligible to do so. (As amended by Act approved July 13, 1939.)

§ 6. A person is qualified to receive a certificate as a registered apprentice:

(a) Who is at least sixteen years of age; and

(b) Who is of good moral character and temperate habits; and

(c) Who has graduated from an eighth grade elementary school, or who has completed an equivalent course of study as determined by an examination conducted by the Department of Registration and Education; and

(d) Who has entered upon the study of beauty culture under a beauty culturist registered under the laws of this State; and

(e) Who is a citizen of the United States or who has made a declaration of intention to become a citizen or who, having made such declaration of intention, has filed a petition for naturalization within thirty days after becoming eligible to do so.

Any person who, upon the first day of July, 1925, is a student in a school of beauty culture or is studying beauty culture under a practicing beauty culturist, is exempt from the provisions of this section relating to a grammar school education, and is also exempt from the provisions of this Act relating to the minimum requirement of a school of beauty culture approved by the Department of Registration and Education. (As amended by Act approved July 13, 1939.)

§ 7. Every person who desires to obtain a certificate of registration shall apply therefor to the Department of Registration and Education in writing, on blanks prepared and furnished by the Department of Registration and Education. Each application shall contain proof of the particular qualifications required of the applicant, shall be verified by the applicant under oath, and shall be accompanied by the required fee.

§ 8. The Department of Registration and Education shall hold examinations of applicants for certificates of registration as registered beauty culturists at such times and places as it may determine.

The examination of applicants for certificates of registration as registered beauty

culturists may include both practical demonstrations and written or oral tests, and shall embrace the subjects normally taught in schools of beauty culture approved by the Department of Registration and Education.

The Department of Registration and Education shall conduct not less than four (4) examinations for certificates of registration as registered beauty culturists a calendar year. (As amended by Act approved June 20, 1935.)

§ 9. Whenever the provisions of this Act have been complied with, the Department of Registration and Education shall issue a certificate of registration as a registered beauty culturist or a certificate of registration as a registered apprentice, as the case may be.

Any resident of this State who, prior to the first day of October, 1925, applies to the Department of Registration and Education, and proves either:

(a) That for one year immediately preceding the first day of July, 1925, he was continuously engaged at an established place of business in this State or any other state, in the practice of beauty culture; or

(b) That he had, prior to the first day of July, 1925, graduated from a school of beauty culture, shall be granted without examination, upon payment of the required fee, a certificate of registration as a registered beauty culturist.

Any person who, prior to the first day of October, 1925, applies to the Department of Registration and Education and proves that immediately prior to the date of his application he was studying beauty culture under a beauty culturist in this State, shall be granted a certificate of registration as a registered apprentice and shall be credited with the time thus spent in the study of beauty culture.

§ 10. Every holder of a certificate of registration shall display it in a conspicuous place

in his principal office, place of business or employment.

Whenever a registered beauty culturist practices beauty culture outside of or away from his principal office, place of business or employment, he shall deliver to each person in his care a certificate of identification. This certificate shall contain his signature, the number and date of his certificate of registration, the post office address of his principal office, place of business or employment, and the date upon which the certificate of identification is delivered to the person under his care.

§ 11. Every registered beauty culturist and every registered apprentice who continues in active practice or service, shall, annually, on or before the first day of April of each year, renew his certificate of registration and pay the required renewal fee. Every certificate of registration which has not been renewed during the month of April in any year, shall expire on the first day of May in that year. A registered beauty culturist whose certificate of registration has expired may have his certificate of registration restored immediately upon payment of all lapsed renewal fees and also upon payment of the required restoration fee, provided, however, not more than five (5) years have elapsed since the date of expiration.

No certificate of any registered apprentice shall be renewed more than twice and then not unless in the case of the second application for renewal, the applicant presents to the Department of Registration and Education the following: a statement of the time spent in the study of beauty culture and practical application of beauty culture certified by the registered beauty culturist under whom the service as an apprentice was performed: an affidavit of the registered beauty culturist

under whom the service as an apprentice was performed verifying the fact that the applicant has spent at least two hundred fifty (250) hours in the study of beauty culture not including the practical application: provided, however, that nothing herein contained shall operate to prevent a registered apprentice from holding an apprentice license for one year.

An applicant whose certificate as a registered apprentice shall have been renewed twice, shall not, subsequently, be granted a certificate as a registered apprentice in a beauty culture establishment under the personal supervision of a beauty culturist, but shall have the right to enter a school of beauty approved by the Department of Registration and Education and attend said school for not longer than the duration of the minimum course of study required for graduation from said school. Such an applicant shall not subsequently be admitted to an examination to determine his fitness to receive a certificate of registration as a beauty culturist except on the basis of graduation from said school of beauty culture.

If an applicant for registration as a registered beauty culturist shall be unsuccessful at two examinations conducted by the Department of Registration and Education, he shall, before taking a subsequent examination, furnish evidence that he has diligently pursued the study of beauty culture since his last examination. An applicant who has been rejected at the fifth examination shall not again be admitted to an examination unless the Department of Registration and Education, in its discretion, shall permit him to do so. (As amended by Act approved June 20, 1935.)

§ 12. The Department of Registration and Education may either refuse to renew, or may suspend, or may revoke any certificate of

registration for any one or combination of the following causes:

(a) Conviction of a felony as shown by a certified copy of the record of the court of conviction: conviction of any of the misdemeanors listed in Section 16 of "An Act relating to the practice of beauty culture" and as amended herein, as shown by a certified copy of the record of the court of conviction:

(b) The obtaining of or an attempt to obtain a certificate of registration, or money, or any other thing of value, by fraudulent misrepresentation:

(c) Practice in the profession, or an attempt to practice in the profession by fraudulent misrepresentation:

(d) Gross malpractice or gross incompetency:

(e) Continued practice by a person knowingly having an infectious or contagious disease:

(f) Advertising by means of knowingly false or deceptive statements:

(g) Violating any of the sanitary regulations as provided in this Act:

(h) Habitual drunkenness or habitual addiction to use of morphine, cocaine or other habit forming drugs:

(i) Immoral or unprofessional conduct:

(j) Permitting any person to use for any unlawful or fraudulent purpose one's certificate of registration as a registered beauty culturist or registered apprentice.

The Department may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts which if proven would constitute grounds for refusal, suspension or revocation as hereinabove set forth, investigate the actions of any person holding or claiming to hold a certificate.

The Department shall, before refusing to issue, suspending or revoking any certificate,

at least ten (10) days prior to the date set for the hearing, notify in writing the applicant or the holder of such certificate of any charges made and shall afford such accused person an opportunity to be heard in person or by counsel in reference thereto. Such written notice may be served by the delivery of the same personally to the accused person, or by mailing the same by registered mail to the place of business last theretofore specified by the accused person in his last notification to the Department. At the time and place fixed in the notice, the Beauty Culture Committee designated by the Director of Registration and Education, as provided in this Act, shall proceed to hearing of the charges and both the accused person and the complainant shall be accorded ample opportunity to present in person or by counsel, such statements, testimony, evidence and arguments as may be pertinent to the charge or to any defense thereto. The Committee may continue such hearing from time to time. If the Committee shall not be sitting at the time and place fixed in the notice or at the time and place to which hearing shall have been continued, the Department shall continue such hearing for a period not to exceed thirty (30) days. (As amended by Act approved July 10, 1935.)

§ 12-a. The Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Director, Assistant Director, Superintendent of Registration and any member of the Beauty Culture Committee shall each have power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths re-

quired or authorized in any Act administered by the Department. (Added by Act approved July 10, 1935.)

§ 12-b. Any Circuit or Superior Court or any judge thereof, either in term time or vacation, upon the application of the accused person or complainant or of the Department, may by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the Department in any hearing relative to the application for or refusal, recall, suspension or revocation of certificates of registration, and the court or judge may compel obedience to its or his order by proceedings for contempt. (Added by Act approved July 10, 1935.)

§ 12-c. The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case wherein a certificate is revoked or suspended. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person interested in such hearing upon payment therefor of twenty-five cents per one hundred words for each original transcript and eight cents per one hundred words for each carbon copy thereof ordered with the original: Provided that the charge for any part of such transcript ordered and paid for previous to the writing of the original record thereof shall be eight cents per hundred words. (Added by Act approved July 10, 1935.)

§ 12-d. The Committee shall present to the Director its written report of its findings and recommendations. A copy of such report shall be served upon the accused person, either

personally or by registered mail as provided in this section for the service of the citation. Within twenty (20) days after such service, said accused person may present to the Department his motion in writing for a rehearing, which written motion shall specify the particular grounds therefor. If said accused person shall order and pay for a transcript of the record as provided in this section, the time elapsing thereafter and before such transcript is ready for delivery to him shall not be counted as part of such twenty days.

Whenever the Director is satisfied that substantial justice has not been done, he may order a rehearing by the same or another special committee. At the expiration of the time specified for filing a motion for a rehearing the Director shall have the right to take the action recommended by the committee. Upon the suspension or revocation of his certificate of registration a registrant shall be required to surrender his certificate of registration to the Department, and upon his failure or refusal so to do, the Department shall have the right to seize the same. (Added by Act approved July 10, 1935.)

§ 12-e. At any time after the suspension or revocation of any certificate, the Department may restore it to the accused person without examination, upon the written recommendation of the Beauty Culture Committee. (Added by Act approved July 10, 1935.)

§ 12-f. The Circuit or Superior Court of the County wherein the accused person resides shall have power to review any order of revocation or suspension and all questions of law and fact thereon by writ of certiorari to the Department, provided that if the accused person is not a resident of this State and the venue is not otherwise fixed herein, such venue shall be in Sangamon County.

Such writ shall be issued by the Clerk of the Court upon praecipe and it shall be served at least ten days before the return day thereof. Service upon the Director, Assistant Director or Superintendent of Registration shall be service on the Department. Such suit shall be commenced within twenty days of the accused person's receipt of notice of the order of refusal, revocation or suspension. The Department shall not be required to certify the record of its proceedings unless the accused person shall first pay to it the sum of five cents per one hundred words of such record. Exhibits shall be certified without cost.

No department order of suspension or revocation shall be set aside or vacated on any ground not specified in the written motion for rehearing provided for in Section 12-e. (Added by Act approved July 10, 1935.)

§ 12-g. An order of revocation or suspension or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Committee and the members thereof are qualified to act.

Such proof may be rebutted. Such order of revocation or suspension shall be conclusive proof that all precedent and concurrent acts of department officers and of the committee necessary to the validity of such order were pursuant to authority conferred by the Director. (Added by Act approved July 10, 1935.)

§ 12-h. Appeals from all final orders and judgments entered by a Circuit or Superior Court in review of an order of the Department may be taken directly to the Supreme

Court by either party to the action within sixty days after service of a copy of the order or judgment of the Circuit or Superior Court, and shall be governed by the rules applying to other civil cases appealed to said Supreme Court, except that formal pleadings shall not be required. (Added by Act approved July 10, 1935.)

§ 12-i. The pendency of an appeal or writ of certiorari shall not of itself stay or suspend the operation of an order of revocation or suspension; but during the pendency of such suit or appeal, the Circuit or Superior Court or the Supreme Court, as the case may be, in its discretion, may stay the operation of such order in whole or in part upon such terms and conditions as the court may prescribe. No such stay shall be granted by the court otherwise than upon ten days' notice to the Department and after a hearing. (Added by Act approved July 10, 1935.)

§ 13. Upon payment of the required fee, an applicant who is a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province may, without examination, be granted a certificate of registration as a registered beauty culturist by the Department of Registration and Education in its discretion upon the following conditions:

(a) That the applicant is at least sixteen years of age and of good moral character and habits; and

(b) That the requirements for the registration or licensing of beauty culturists in the particular state, territory, country or province were, at the date of the license, substantially equivalent to the requirements then in force in this State.

The Department of Registration and Education shall prescribe reasonable rules and regulations governing the recognition of and

the credit to be given to the study of beauty culture under a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province by an applicant for a certificate of registration as a registered beauty culturist.

§ 14. The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration as a registered beauty culturist is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate of registration as a registered beauty culturist is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate of registration as a registered apprentice is one dollar (\$1.00).

The fee to be paid by an applicant to determine his preliminary education is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate of registration as a registered beauty culturist, who applies therefor, pursuant to the provisions of section 9 of this Act, prior to the first day of October, 1925, is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate of registration as a registered beauty culturist, who is a beauty culturist, registered or licensed under the laws of another state or territory of the United States or a foreign country or province, is fifteen dollars (\$15.00).

The fee to be paid upon the renewal of a certificate of registration is one dollar (\$1.00).

The fee to be paid for the restoration of an expired certificate of registration as a registered beauty culturist is five dollars (\$5.00).

The fee to be paid for the restoration of an

expired certificate of registration as a registered apprentice is two dollars (\$2.00).

§ 15. Repealed by Act approved July 10, 1935.

§ 16. Each of the following, if done after October 1, 1925, constitutes a misdemeanor, punishable upon conviction by a fine of not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00).

(a) The practice of beauty culture or an attempt to practice beauty culture without a certificate of registration as a registered beauty culturist:

(b) Service as an apprentice under a registered beauty culturist or an attempt to serve as an apprentice under a registered beauty culturist without a certificate of registration as an apprentice:

(c) Permitting any person in one's employ, supervision or control, to serve as an apprentice under a registered beauty culturist, unless that person has a certificate of registration as a registered apprentice:

(d) The obtaining of or an attempt to obtain a certificate of registration, or money or any other thing of value by fraudulent misrepresentation:

(e) Practice in the profession, or an attempt to practice in the profession by fraudulent misrepresentation:

(f) Wilfully making of any false oath or affirmation whenever an oath or affirmation is required by this Act:

(g) The violation of the provisions of Section 10 of this Act.

(h) Permitting more than one registered apprentice to serve in one's beauty culture establishment, other than a school of beauty culture approved by the Department of Registration and Education.

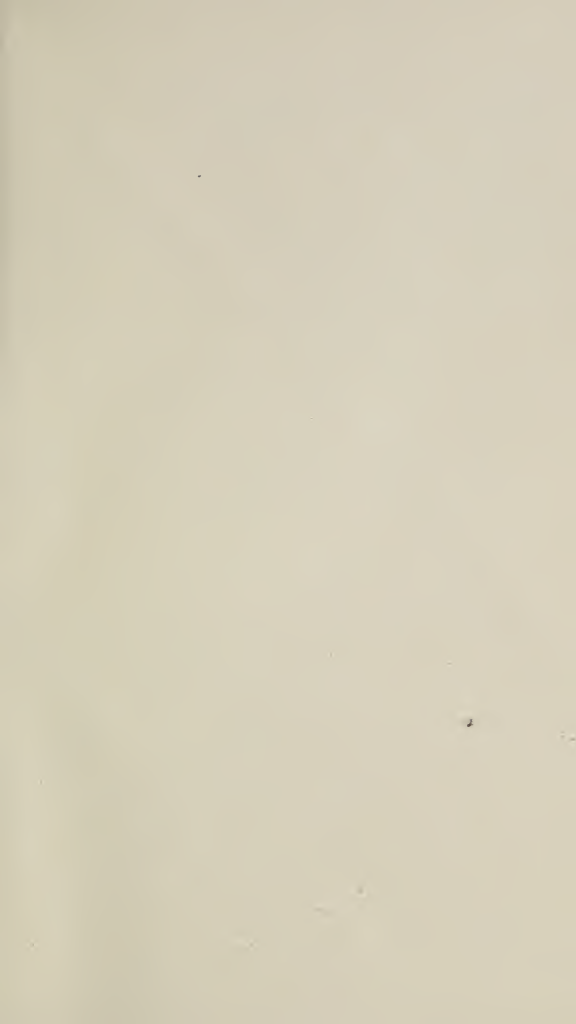
(i) Permitting a registered apprentice or any other person not a registered beauty culturist serving under one's supervision to practice beauty culture independently.

(j) Aiding, abetting, or conspiring with any registered apprentice, registered beauty culturist, or any other person in violating the provisions of this Act.

(k) The violation of any of the provisions of this Act. (As amended by Act approved June 20, 1935.)

§ 17. The Department of Registration and Education shall keep a record, which shall be open to public inspection at all reasonable times, of its proceedings relating to the issuance, refusal, renewal, suspension and revocation of certificates of registration. This record shall also contain the name, known place of business and residence and the date and number of the certificate of registration of every registered beauty culturist and registered apprentice in this State.

§ 18. This Act may be known and cited as "The Illinois Beauty Culture Act."



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THE ILLINOIS BEAUTY CULTURE ACT

STATE OF ILLINOIS

DWIGHT H. GREEN

Governor

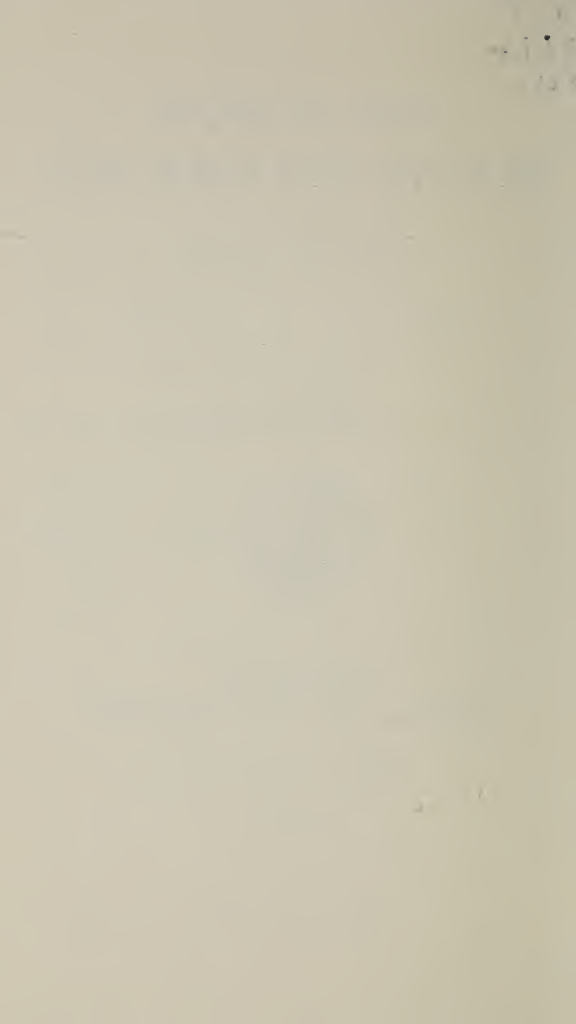


DEPARTMENT OF
REGISTRATION AND EDUCATION

FRANK G. THOMPSON

Director

SPRINGFIELD



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GENERAL RULES GOVERNING EXAMINATIONS

1. All communications should be addressed to the Department of Registration and Education, Springfield, Ill.
2. All examinations must be written in the ENGLISH language.
3. Application and fee must be on file at least fifteen days before date of examination. All preliminary qualifications must be verified before examination.
4. Unmounted photo, 3 x 5 inches, must accompany application. A duplicate of the photo must be presented at examination, both bearing certificate as to signature and identity by the two persons who signed the letters of recommendation accompanying photo.
5. Applicants must present letters of admission and photographs on day of examination.
6. Examinations will begin promptly at 8:30 A. M.
7. Applicants taking the Beauty Culture examination must make a general average of 75% in both the practical and written work, with not less than 60% in any branch. The examination includes all branches of the Beauty Culture profession.
8. Applications of unsuccessful applicants may be reinstated upon the payment of a fee of five dollars. An unsuccessful applicant is required to re-take the subjects in which she failed to make a grade of 75%.
9. Remittances should be made by postal or express money order or bank draft, payable to the Department of Registration and Education, Springfield, Illinois. **DO NOT SEND CURRENCY OR PERSONAL CHECK.**

THE ILLINOIS BEAUTY CULTURE ACT

An Act relating to the practice of beauty culture, approved June 30, 1925, as amended by Acts approved June 20, 1935, July 10, 1935, July 13, 1939, and July 18 and 19, 1941.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

SECTION 1. After the first day of October, 1925, it shall be unlawful for any person to practice, or attempt to practice beauty culture, without a certificate of registration as a registered beauty culturist, issued by the Department of Registration and Education, pursuant to the provisions of this Act and of the Civil Administrative Code.

After the first day of October, 1925, it shall also be unlawful for any person to serve, or attempt to serve, as an apprentice under a registered beauty culturist without a certificate of registration as a registered apprentice issued by the Department of Registration and Education, pursuant to the provisions of this Act and of the Civil Administrative Code.

§ 2. Any one or any combination of the following practices constitutes the practice of beauty culture when done for cosmetic or beautifying purposes and not for the treatment of disease or of muscular or nervous disorder.

The application of cosmetic preparations to the human body by massaging, stroking, kneading, slapping, tapping, stimulating, manipulating, exercising, cleansing, beautifying, or by means of devices, apparatus or appliances; arranging, dressing, marcelling, curling, waving, cleansing, singeing, bleaching, coloring, dyeing, tinting, or otherwise treating by any means the hair of any person. However, the provisions of this Act shall not authorize any registered beauty culturist to cut or clip the hair of any person unless he has first obtained a certificate of registration as a barber under the provisions

of "An Act to regulate the pursuit of the business, art and avocation of a barber, and to insure the better qualifications of persons following such business in the State of Illinois," approved June 10, 1909, as amended.

§ 3. No registered apprentice may independently practice beauty culture. A registered apprentice may, however, under the immediate personal supervision of a designated registered beauty culturist, assist a registered beauty culturist in the practice of beauty culture; provided, however, that no registered beauty culturist may receive from such registered apprentice any money or thing of value for such assistance. The designation of such registered beauty culturist shall be reported to the Department of Registration and Education by the registered beauty culturist so designated. Not more than one registered apprentice shall serve in any beauty culture establishment, provided, however, that the foregoing paragraph shall not apply to students in schools of beauty culture. (As amended by Act approved June 20, 1935.)

§ 4. The provisions of this Act do not apply to registered barbers, except as to permanent waving and marcel waving.

§ 4-a. The Department of Registration and Education shall exercise, but subject to the provisions of this Act, the following functions, powers and duties:

(1) Conduct examinations to ascertain the qualifications and fitness of applicants for certificates of registration as registered beauty culturists, and pass upon the qualifications of applicants for reciprocal licenses, certificates and authorities.

(2) Prescribe rules and regulations for a method of examination of candidates.

(3) Prescribe rules and regulations defining what shall constitute a school, college or university, or department of a university, or other

institution, reputable and in good standing, and to determine the reputability and good standing of a school, college or university, or department of a university or other institution reputable and in good standing by reference to a compliance with such rules and regulations; provided that no school, college or university, or department of a university or other institution that refuses admittance to applicants, solely on account of race, color, or creed shall be considered reputable and in good standing.

(4) Establish a standard of preliminary education deemed requisite to admission to a school, college or university, and to require satisfactory proof of the enforcement of such standard by said schools, colleges and universities.

(5) Conduct hearings on proceedings to suspend or revoke or refuse renewal of licenses, certificates or authorities of persons applying for registration or registered under the provisions of this Act and to revoke or refuse to renew such licenses or certificates or authorities.

(6) Prescribe reasonable rules and regulations governing the sanitary regulation and inspection of beauty culture shops, subject to the approval of the Department of Public Health.

(7) Formulate rules and regulations when required in any Act to be administered.

None of the foregoing functions or duties enumerated in this section shall be exercised by the Department of Registration and Education except upon the action and report in writing of the Beauty Culture Committee, which shall be composed of persons designated from time to time by the Director of Registration and Education to take such action and to make such report for the profession involved herein as follows:

Three (3) practical beauty culturists, no two to be graduates of the same school, each of whom shall have been for the last five years preceding

his appointment engaged in the occupation of beauty culture in this State, and no one of whom is a member of, or a stockholder in any school of beauty culture, or a manufacturer, jobber or stockholder in any factory of beauty culture articles.

The action or report in writing of a majority of the Committee designated shall be sufficient authority upon which the Director of Registration and Education may act.

In making the designation of persons to act, the Director shall give due consideration to recommendations by members of the profession and by organizations therein.

Whenever the Director is satisfied that substantial justice has not been done in an examination, he may order a reexamination by the same or other examiners. (Added by Act approved July 10, 1935.)

§ 5. A person is qualified to receive a certificate of registration as a registered beauty culturist:

(a) Who is at least sixteen years of age; and

(b) Who is of good moral character and temperate habits; and

(c) Who has graduated from an eighth grade elementary school, or who has completed an equivalent course of study as determined by an examination conducted by the Department of Registration and Education; and

(d) Who has either studied beauty culture for one year as a registered apprentice under a beauty culturist registered under the laws of this State, or has graduated from a school of beauty culture approved by the Department of Registration and Education. No school of beauty culture shall be approved by the Department of Registration and Education unless it has a minimum requirement of a course of study consisting of not less than one thousand (1,000) hours

extending over a period not less than six (6) months. Time spent in the study of beauty culture under a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province pursuant to the provisions of Section 13 of this Act, shall, however, be credited upon the period of study required by the provisions of this paragraph; and

(e) Who has passed a satisfactory examination conducted by the Department of Registration and Education to determine his fitness to receive a certificate of registration as a registered beauty culturist; and

(f) Who is a citizen of the United States or who has made a declaration of intention to become a citizen or who, having made such declaration of intention, has filed a petition for naturalization within thirty days after becoming eligible to do so. (As amended by Act approved July 13, 1939.)

§ 6. A person is qualified to receive a certificate as a registered apprentice:

(a) Who is at least sixteen years of age; and

(b) Who is of good moral character and temperate habits; and

(c) Who has graduated from an eighth grade elementary school, or who has completed an equivalent course of study as determined by an examination conducted by the Department of Registration and Education; and

(d) Who has entered upon the study of beauty culture under a beauty culturist registered under the laws of this State; and

(e) Who is a citizen of the United States or who has made a declaration of intention to become a citizen or who, having made such declaration of intention, has filed a petition for naturalization within thirty days after becoming eligible to do so.

Any person who, upon the first day of July,

1925, is a student in a school of beauty culture or is studying beauty culture under a practicing beauty culturist, is exempt from the provisions of this section relating to a grammar school education, and is also exempt from the provisions of this Act relating to the minimum requirement of a school of beauty culture approved by the Department of Registration and Education. (As amended by Act approved July 13, 1939.)

§ 7. Every person who desires to obtain a certificate of registration shall apply therefor to the Department of Registration and Education in writing, on blanks prepared and furnished by the Department of Registration and Education. Each application shall contain proof of the particular qualifications required of the applicant, shall be verified by the applicant under oath, and shall be accompanied by the required fee.

§ 8. The Department of Registration and Education shall hold examinations of applicants for certificates of registration as registered beauty culturists at such times and places as it may determine.

The examination of applicants for certificates of registration as registered beauty culturists may include both practical demonstrations and written or oral tests, and shall embrace the subjects normally taught in schools of beauty culture approved by the Department of Registration and Education.

The Department of Registration and Education shall conduct not less than four (4) examinations for certificates of registration as registered beauty culturists a calendar year. (As amended by Act approved June 20, 1935.)

§ 9. Whenever the provisions of this Act have been complied with, the Department of Registration and Education shall issue a certificate of registration as a registered beauty culturist or a certificate of registration as a registered apprentice, as the case may be.

Any resident of this State who, prior to the first day of October, 1925, applies to the Department of Registration and Education, and proves either:

(a) That for one year immediately preceding the first day of July, 1925, he was continuously engaged at an established place of business in this State or any other state, in the practice of beauty culture; or

(b) That he had, prior to the first day of July, 1925, graduated from a school of beauty culture, shall be granted without examination, upon payment of the required fee, a certificate of registration as a registered beauty culturist.

Any person who, prior to the first day of October, 1925, applies to the Department of Registration and Education and proves that immediately prior to the date of his application he was studying beauty culture under a beauty culturist in this State, shall be granted a certificate of registration as a registered apprentice and shall be credited with the time thus spent in the study of beauty culture.

§ 10. Every holder of a certificate of registration shall display it in a conspicuous place in his principal office, place of business or employment.

Whenever a registered beauty culturist practices beauty culture outside of or away from his principal office, place of business, or employment, he shall deliver to each person in his care a certificate of identification. This certificate shall contain his signature, the number and date of his certificate of registration, the post office address of his principal office, place of business, or employment and the date upon which the certificate of identification is delivered to the person under his care.

§ 11. Every registered beauty culturist and every registered apprentice who continues in active practice or service, shall, annually, on or before the first day of April of each year, renew

his certificate of registration and pay the required renewal fee. Every certificate of registration which has not been renewed during the month of April in any year, shall expire on the first day of May in that year. A registered beauty culturist whose certificate of registration has expired may have his certificate of registration restored immediately upon payment of all lapsed renewal fees and also upon payment of the required restoration fee, provided, however, not more than five (5) years have elapsed since the date of expiration.

No certificate of any registered apprentice shall be renewed more than twice and then not unless in the case of the second application for renewal, the applicant presents to the Department of Registration and Education the following: a statement of the time spent in the study of beauty culture and practical application of beauty culture certified by the registered beauty culturist under whom the service as an apprentice was performed: an affidavit of the registered beauty culturist under whom the service as an apprentice was performed verifying the fact that the applicant has spent at least two hundred fifty (250) hours in the study of beauty culture not including the practical application: provided, however, that nothing herein contained shall operate to prevent a registered apprentice from holding an apprentice license for one year.

An applicant whose certificate as a registered apprentice shall have been renewed twice, shall not, subsequently, be granted a certificate as a registered apprentice in a beauty culture establishment under the personal supervision of a beauty culturist, but shall have the right to enter a school of beauty approved by the Department of Registration and Education and attend said school for not longer than the duration of the minimum course of study required for graduation from said school. Such an applicant shall not subsequently be admitted to an

examination to determine his fitness to receive a certificate of registration as a beauty culturist except on the basis of graduation from said school of beauty culture.

If an applicant for registration as a registered beauty culturist shall be unsuccessful at two examinations conducted by the Department of Registration and Education, he shall, before taking a subsequent examination, furnish evidence that he has diligently pursued the study of beauty culture since his last examination. An applicant who has been rejected at the fifth examination shall not again be admitted to an examination unless the Department of Registration and Education, in its discretion, shall permit him to do so. *However, any registered beauty culturist or registered apprentice whose certificate of registration has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate of registration restored without paying any lapsed renewal fees or restoration fee if within one year after termination of such service, training or education other than by dishonorable discharge he furnishes the Department with an affidavit to the effect that he has been so engaged and that his service, training or education has been so terminated. (As amended by Act approved July 18, 1941.) (This Section was amended by two separate acts of the 62d General Assembly, namely: An Act of July 18, 1941, S. B. 668, and an Act of July 21, 1941, H. B. 282. The amendment of July 18, 1941, S. B. No. 668, is set out above. For the amendment of July 21, 1941, H. B. No. 282, see Section 11, post.)*

§ 11. Every registered beauty culturist and

every registered apprentice who continues in active practice or service, shall, annually, on or before the first day of April of each year, renew his certificate of registration and pay the required renewal fee. Every certificate of registration which has not been renewed during the month of April in any year, shall expire on the first day of May in that year. A registered beauty culturist whose certificate of registration has expired may have his certificate of registration restored immediately upon payment of all lapsed renewal fees and also upon payment of the required restoration fee, provided, however, not more than five (5) years have elapsed since the date of expiration.

A registered beauty culturist whose certificate of registration has expired for more than five (5) years may have his certificate of registration restored only by passing an oral and practical examination to determine his fitness to have his certificate of registration restored and by paying the required fee.

No certificate of any registered apprentice shall be renewed more than twice and then not unless in the case of the second application for renewal, the applicant presents to the department of Registration and Education the following: a statement of the time spent in the study of beauty culture and practical application of beauty culture certified by the registered beauty culturist under whom the service as an apprentice was performed; an affidavit of the registered beauty culturist under whom the service as an apprentice was performed verifying the fact that the applicant has spent at least two hundred fifty (250) hours in the study of beauty culture not including the practical application; provided, however, that nothing herein contained shall operate to prevent a registered apprentice from holding an apprentice license for one year.

An applicant whose certificate as a registered apprentice shall have been renewed twice, shall

not, subsequently, be granted a certificate as a registered apprentice in a beauty culture establishment under the personal supervision of a beauty culturist but shall have the right to enter a school of beauty *culture* approved by the Department of Registration and Education and attend said school for not longer than the duration of the minimum course of study required for graduation from said school. Such an applicant shall not subsequently be admitted to an examination to determine his fitness to receive a certificate of registration as a beauty culturist except on the basis of graduation from said school of beauty culture.

If an applicant for registration as a registered beauty culturist shall be unsuccessful at two examinations conducted by the Department of Registration and Education, he shall, before taking a subsequent examination, furnish evidence that he has diligently pursued the study of beauty culture since his last examination. An applicant who has been rejected at the fifth examination shall not again be admitted to an examination unless the Department of Registration and Education, in its discretion, shall permit him to do so. (As amended by Act approved July 21, 1941.) (This Section was amended by two separate acts of the 62d General Assembly, namely: an Act of July 18, 1941, S. B. No. 668, and an Act of July 21, 1941, H. B. No. 282. The amendment of July 21, 1941, is set out above. For the amendment of July 18, 1941, S. B. No. 668, see Section 11, ante.)

§ 12. The Department of Registration and Education may either refuse to renew, or may suspend, or may revoke any certificate of registration for any one or combination of the following causes:

(a) Conviction of a felony as shown by a certified copy of the record of the court of conviction: conviction of any of the misdemeanors listed in Section 16 of "An Act relating to the practice of beauty culture" and as amended

herein, as shown by a certified copy of the record of the court of conviction:

(b) The obtaining of or an attempt to obtain a certificate of registration, or money, or any other thing of value, by fraudulent misrepresentation:

(c) Practice in the profession, or an attempt to practice in the profession by fraudulent misrepresentation:

(d) Gross malpractice or gross incompetency:

(e) Continued practice by a person knowingly having an infectious or contagious disease:

(f) Advertising, by means of knowingly false or deceptive statements:

(g) Violating any of the sanitary regulations as provided in this Act:

(h) Habitual drunkenness or habitual addiction to use of morphine, cocaine or other habit forming drugs:

(i) Immoral or unprofessional conduct:

(j) Permitting any person to use for any unlawful or fraudulent purpose one's certificate of registration as a registered beauty culturist or registered apprentice.

The Department of Registration and Education may neither refuse to issue, nor refuse to renew, nor suspend, nor revoke, any certificate of registration, however, for any of these causes, unless the person accused has been given at least twenty days' notice in writing of the charge against him and a public hearing by the Department of Registration and Education. Upon the hearing, of any such proceedings, the Director of Registration and Education, the Assistant Director of Registration and Education and the Superintendent of Registration may administer oaths and the Department of Registration and Education may procure, by its subpoena, the attendance of witnesses and the production of relevant books and papers. Any cir-

cuit court or any judge of a circuit court, either in term time or in vacation, upon application either of the accused or of the Department of Registration and Education may, by order duly entered, require the attendance of witnesses, and the production of relevant books and papers before the Department of Registration and Education in any hearing relating to the refusal, suspension or revocation of certificates of registration. Upon refusal or neglect to obey the order of the court or judge, the court or judge may compel, by proceedings for contempt of court, obedience of its or his order.

Upon the suspension or revocation of any certificate of registration the Department of Registration and Education shall stamp such certificate of registration with the words "suspended" or "revoked" as the case may be together with the date of such suspension or revocation. (As amended by Act approved June 20, 1935.) (This Section was amended by two acts of the 59th General Assembly, viz., S. B. No. 288, set out above, and S. B. No. 510, set out under Section 12 next below.)

§ 12. The Department of Regsitratiion and Education may either refuse to renew, or may suspend, or may revoke any certificate of registration for any one or combination of the following causes:

(a) Conviction of a felony as shown by a certified copy of the record of the court of conviction: conviction of any of the misdemeanors listed in Section 16 of "An Act relating to the practice of beauty culture" and as amended herein, as shown by a certified copy of the record of the court of conviction:

(b) The obtaining of or an attempt to obtain a certificate of registration, or money, or any other thing of value, by fraudulent misrepresentation:

(c) Practice in the profession, or an attempt to practice in the profession, by fraudulent misrepresentation:

(d) Gross malpractice or gross incompetency:

(e) Continued practice by a person knowingly having an infectious or contagious disease:

(f) Advertising, by means of knowingly false or deceptive statements:

(g) Violating any of the sanitary regulations as provided in this Act:

(h) Habitual drunkenness or habitual addiction to use of morphine, cocaine or other habit forming drugs:

(i) Immoral or unprofessional conduct:

(j) Permitting any person to use for any unlawful or fraudulent purpose one's certificate of registration as a registered beauty culturist or registered apprentice.

The Department may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts which if proven would constitute grounds for refusal, suspension or revocation as hereinabove set forth, investigate the actions of any person holding or claiming to hold a certificate.

The Department shall, before refusing to issue, suspending or revoking any certificate, at least ten (10) days prior to the date set for the hearing, notify in writing the applicant or the holder of such certificate of any charges made and shall afford such accused person an opportunity to be heard in person or by counsel in reference thereto. Such written notice may be served by delivery of the same personally to the accused person, or by mailing the same by registered mail to the place of business last theretofore specified by the accused person in his last notification to the Department. At the time and place fixed in the notice, the Beauty Culture Committee designated by the Director of Registration and Education, as provided in this Act, shall proceed to hearing of the charges and both the accused person and the complainant shall

be accorded ample opportunity to present in person or by counsel, such statements, testimony, evidence and arguments as may be pertinent to the charge or to any defense thereto. The Committee may continue such hearing from time to time. If the Committee shall not be sitting at the time and place fixed in the notice or at the time and place to which hearing shall have been continued, the Department shall continue such hearing for a period not to exceed thirty (30) days. (As amended by Act approved July 10, 1935.)

§ 12-a. The Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Director, Assistant Director, Superintendent of Registration and any member of the Beauty Culture Committee shall each have power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department. (Added by Act approved July 10, 1935.)

§ 12-b. Any Circuit or Superior Court or any judge thereof, either in term time or vacation, upon the application of the accused person or complainant or of the Department, may by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the Department in any hearing relative to the application for or refusal, recall, suspension or revocation of certificates of registration, and the court or judge may compel obedience to its or his order by proceedings for contempt. (Added by Act approved July 10, 1935.)

§ 12-c. The Department, at its expense, shall

provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case wherein a certificate is revoked or suspended. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person interested in such hearing upon payment therefor of twenty-five cents per one hundred words for each original transcript and eight cents per one hundred words for each carbon copy thereof ordered with the original: Provided that the charge for any part of such transcript ordered and paid for previous to the writing of the original record thereof shall be eight cents per hundred words. (Added by Act approved July 10, 1935.)

§ 12-d. The Committee shall present to the Director its written report of its findings and recommendations. A copy of such report shall be served upon the accused person, either personally or by registered mail as provided in this section for the service of the citation. Within twenty (20) days after such service, said accused person may present to the Department his motion in writing for rehearing, which written motion shall specify the particular grounds therefor. If said accused person shall order and pay for a transcript of the record as provided in this section, the time elapsing thereafter and before such transcript is ready for delivery to him shall not be counted as part of such twenty days.

Whenever the Director is satisfied that substantial justice has not been done, he may order a rehearing by the same or another special committee. At the expiration of the time specified for filing a motion for a rehearing the Director shall have the right to take the action recom-

mended by the committee. Upon the suspension or revocation of his certificate of registration a registrant shall be required to surrender his certificate of registration to the Department, and upon his failure or refusal so to do, the Department shall have the right to seize the same. (Added by Act approved July 10, 1935.)

§12-e. At any time after the suspension or revocation of any certificate, the Department may restore it to the accused person without examination, upon the written recommendation of the Beauty Culture Committee. (Added by Act approved July 10, 1935.)

§ 12-f. The Circuit or Superior Court of the County wherein the accused person resides shall have power to review any order of revocation or suspension and all questions of law and fact thereon by writ of certiorari to the Department, provided that if the accused person is not a resident of this State and the venue is not otherwise fixed herein, such venue shall be in Sangamon County.

Such writ shall be issued by the Clerk of the Court upon praecipe and it shall be served at least ten days before the return day thereof. Service upon the Director, Assistant Director or Superintendent of Registration shall be service on the Department. Such suit shall be commenced within twenty days of the accused person's receipt of notice of the order of refusal, revocation or suspension. The Department shall not be required to certify the record of its proceedings unless the accused person shall first pay to it the sum of five cents per one hundred words of such record. Exhibits shall be certified without cost.

No department order of suspension or revocation shall be set aside or vacated on any ground not specified in the written motion for rehearing provided for in Section 12-e. (Added by Act approved July 10, 1935.)

§ 12-g. An order of revocation or suspension or a certified copy thereof, over the seal

of the Department and purporting to be signed by the Director shall be prima facie proof that

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Committee and the members thereof are qualified to act.

Such proof may be rebutted. Such order of revocation or suspension shall be conclusive proof that all precedent and concurrent acts of department officers and of the committee necessary to the validity of such order were pursuant to authority conferred by the Director. (Added by Act approved July 10, 1935.)

§ 12-h. Appeals from all final orders and judgments entered by a Circuit or Superior Court in review of an order of the Department may be taken directly to the Supreme Court by either party to the action within sixty days after service of a copy of the order or judgment of the Circuit or Superior Court, and shall be governed by the rules applying to other civil cases appealed to said Supreme Court, except that formal pleadings shall not be required. (Added by Act approved July 10, 1935.)

§ 12-i. The pendency of an appeal or writ of certiorari shall not of itself stay or suspend the operation of an order of revocation or suspension; but during the pendency of such suit or appeal, the Circuit or Superior Court or the Supreme Court, as the case may be, in its discretion, may stay the operation of such order in whole or in part upon such terms and conditions as the court may prescribe. No such stay shall be granted by the court otherwise than upon ten days' notice to the Department and after a hearing. (Added by Act approved July 10, 1935.)

§ 13. Upon payment of the required fee,

an applicant who is a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province may, without examination, be granted a certificate of registration as a registered beauty culturist by the Department of Registration and Education in its discretion upon the following conditions:

(a) That the applicant is at least sixteen years of age and of good moral character and habits; and

(b) That the requirements for the registration or licensing of beauty culturists in the particular state, territory, country or province were, at the date of the license, substantially equivalent to the requirements then in force in this State.

The Department of Registration and Education shall prescribe reasonable rules and regulations governing the recognition of and the credit to be given to the study of beauty culture under a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province by an applicant for a certificate of registration as a registered beauty culturist.

§ 14. The fee to be paid by an applicant upon filing his application for registration as a registered beauty culturist is ten dollars (\$10.00).

The fee to be paid by an applicant for a certificate of registration as a registered apprentice is one dollar (\$1.00).

The fee to be paid by an applicant to determine his preliminary education is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate of registration as a registered beauty culturist, who is a beauty culturist, registered or licensed under the laws of another state or territory of the United States or a

foreign country or province is fifteen dollars (\$15.00).

The fee to be paid upon the renewal of a certificate of registration is one dollar (\$1.00).

The fee to be paid for the restoration of a certificate of registration as a registered beauty culturist which has expired for not more than five (5) years is five dollars (\$5.00).

The fee to be paid for the restoration of a certificate of registration as a registered beauty culturist which has expired for more than five (5) years is fifteen dollars (\$15.00).

The fee to be paid for the restoration of an expired certificate of registration as a registered apprentice is two dollars (\$2.00).

The fee to be paid for the second and subsequent examinations for registration as a registered beauty culturist is five dollars (\$5.00). (Amended by Act approved July 21, 1941.)

§ 15. Repealed by Act approved July 10, 1935.

§ 16. Each of the following, if done after October 1, 1925, constitutes a misdemeanor, punishable upon conviction by a fine of not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00).

(a) The practice of beauty culture or an attempt to practice beauty culture without a certificate of registration as a registered beauty culturist:

(b) Service as an apprentice under a registered beauty culturist or an attempt to serve as an apprentice under a registered beauty culturist without a certificate of registration as an apprentice:

(c) Permitting any person in one's employ, supervision or control, to serve as an apprentice under a registered beauty culturist, unless that person has a certificate of registration as a registered apprentice:

(d) The obtaining of or an attempt to obtain a certificate of registration, or money or any other thing of value by fraudulent misrepresentation:

(e) Practice in the profession, or an attempt to practice in the profession by fraudulent misrepresentation:

(f) Wilfully making of any false oath or affirmation whenever an oath or affirmation is required by this Act:

(g) The violation of the provisions of Section 10 of this Act.

(h) Permitting more than one registered apprentice to serve in one's beauty culture establishment, other than a school of beauty culture approved by the Department of Registration and Education.

(i) Permitting a registered apprentice or any other person not a registered beauty culturist serving under one's supervision to practice beauty culture independently.

(j) Aiding, abetting, or conspiring with any registered apprentice, registered beauty culturist, or any other person in violating the provisions of this Act.

(k) The violation of any of the provisions of this Act. (As amended by Act approved June 20, 1935.)

§ 17. The Department of Registration and Education shall keep a record, which shall be open to public inspection at all reasonable times, of its proceedings relating to the issuance, refusal, renewal, suspension and revocation of certificates of registration. This record shall also contain the name, known place of business and residence and the date and number of the certificate of registration of every registered beauty culturist and registered apprentice in this State.

§ 18. This Act may be known and cited as "The Illinois Beauty Culture Act."

(Printed by the authority of the
State of Illinois)

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1943

THE ILLINOIS BEAUTY CULTURE ACT

STATE OF ILLINOIS
DWIGHT H. GREEN
Governor



DEPARTMENT OF
REGISTRATION and EDUCATION

FRANK G. THOMPSON
Director

SPRINGFIELD

391.5
1943
GENERAL RULES GOVERNING
EXAMINATIONS

1. All communications should be addressed to the Department of Registration and Education, Springfield, Ill.
2. All examinations must be written in the ENGLISH language.
3. Application and fee must be on file at least fifteen days before date of examination. All preliminary qualifications must be verified before examination.
4. Unmounted photo, 3 x 5 inches, must accompany application. A duplicate of the photo must be presented at examination, both bearing certificate as to signature and identity by the two persons who signed the letters of recommendation accompanying photo.
5. Applicants must present letters of admission and photographs on day of examination.
6. Examinations will begin promptly at 8:30 A. M.
7. Applicants taking the Beauty Culture examination must make a general average of 75% in both the practical and written work, with not less than 60% in any branch. The examination includes all branches of the Beauty Culture profession.
8. Applications of unsuccessful applicants may be reinstated upon the payment of a fee of five dollars. An unsuccessful applicant is required to re-take the subjects in which she failed to make a grade of 75%.
9. Remittances should be made by postal or express money order or bank draft, payable to the Department of Registration and Education, Springfield, Illinois. DO NOT SEND CURRENCY OR PERSONAL CHECK.

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THE ILLINOIS BEAUTY CULTURE ACT

An Act relating to the practice of beauty culture, approved June 30, 1925, as amended.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

SECTION 1. It shall be unlawful for any person to practice, or attempt to practice, beauty culture, without a certificate of registration as a post-graduate or registered beauty culturist, issued by the Department of Registration and Education, pursuant to the provisions of this Act and of the Civil Administrative Code.

It shall also be unlawful for any person to serve, or attempt to serve, as an apprentice under a registered beauty culturist without a certificate of registration as a registered apprentice issued by the Department of Registration and Education, pursuant to the provisions of this Act and of the Civil Administrative Code. (As amended by Act approved July 31, 1943.)

§ 2. Any one or any combination of the following practices constitutes the practice of beauty culture when done for cosmetic or beautifying purposes and not for the treatment of disease or of muscular or nervous disorder.

The application of cosmetic preparations to the human body by massaging, **stroking**, kneading, slapping, tapping, stimulating, manipulating, exercising, cleansing, beautifying, or by means of devices, apparatus or appliances; arranging, dressing, marcelling, curling, waving, cleansing, singeing, bleaching, coloring, dyeing, tinting, or otherwise treating by any means the hair of any person. However, the provisions of this Act shall not authorize any registered beauty culturist to cut or clip the hair of any person unless he

has first obtained a certificate of registration as a barber under the provisions of "An Act to regulate the pursuit of the business, art and avocation of a barber, and to insure the better qualifications of persons following such business in the State of Illinois," approved June 10, 1909, as amended.

§ 3. No registered apprentice may independently practice beauty culture. A registered apprentice may, however, under the immediate personal supervision of a designated registered beauty culturist, assist a registered beauty culturist in the practice of beauty culture; provided, however, that no registered beauty culturist may receive from such registered apprentice any money or thing of value for such assistance. The designation of such registered beauty culturist shall be reported to the Department of Registration and Education by the registered beauty culturist so designated. Not more than one registered apprentice shall serve in any beauty culture establishment, provided, however, that the foregoing paragraph shall not apply to students in schools of beauty culture. (As amended by Act approved July 31, 1943.)

§ 4. The provisions of this Act do not apply to registered barbers, except as to permanent waving and marcel waving.

§ 4-a. The Department of Registration and Education shall exercise, but subject to the provisions of this Act, the following functions, powers and duties:

- (1) Conduct examinations to ascertain the qualifications and fitness of applicants for certificates of registration as post-graduate and registered beauty culturists, and pass upon the qualifications of applicants for reciprocal licenses, certificates and authorities.

- (2) Prescribe rules and regulations for a method of examination of candidates.

(3) Prescribe rules and regulations defining what shall constitute a school, college or university, or department of a university, or other institution, reputable and in good standing, and to determine the reputability and good standing of a school, college or university, or department of a university or other institution reputable and in good standing by reference to a compliance with such rules and regulations; provided that no school, college or university, or department of a university or other institution that refuses admittance to applicants, solely on account of race, color or creed shall be considered reputable and in good standing.

(4) Establish a standard of preliminary education deemed requisite to admission to a school, college or university, and to require satisfactory proof of the enforcement of such standard by said schools, colleges and universities.

(5) Conduct hearings on proceedings to suspend or revoke or refuse renewal of licenses, certificates or authorities of persons applying for registration or registered under the provisions of this Act and to revoke or refuse to renew such licenses or certificates or authorities.

(6) Prescribe reasonable rules and regulations governing the sanitary regulation and inspection of beauty culture shops, subject to the approval of the Department of Public Health.

(7) Formulate rules and regulations when required in any Act to be administered.

None of the foregoing functions or duties enumerated in this section shall be exercised by the Department of Registration and Education except upon the action and report in writing of the Beauty Culture Committee, which shall be composed of persons designated

from time to time by the Director of Registration and Education to take such action and to make such report for the profession involved herein as follows:

Three (3) practical beauty culturists, no two to be graduates of the same school, each of whom shall have been for the last five years preceding his appointment engaged in the occupation of beauty culture in this State, and no one of whom is a member of, or a stockholder in any school of beauty culture, or a manufacturer, jobber or stockholder in any factory of beauty culture articles.

The action or report in writing of a majority of the Committee designated shall be sufficient authority upon which the Director of Registration and Education may act.

In making the designation of persons to act, the Director shall give due consideration to recommendations by members of the profession and by organizations therein.

Whenever the Director is satisfied that substantial justice has not been done in an examination, he may order a reexamination by the same or other examiners. (As amended by Act approved July 31, 1943.)

§ 5. A person is qualified to receive a certificate of registration as a post-graduate beauty culturist:

(a) Who is at least sixteen years of age; and

(b) Who is of good moral character and temperate habits; and

(c) Who has graduated from an eighth grade elementary school, or who has completed an equivalent course of study as determined by examination conducted by the Department of Registration and Education; and

(d) Who has either studied beauty culture for one year as a registered apprentice under

a beauty culturist registered under the laws of this State, or has graduated from a school of beauty culture approved by the Department of Registration and Education. No school of beauty culture shall be approved by the Department of Registration and Education unless it has a minimum requirement of a course of study consisting of not less than one thousand (1,000) hours extending over a period of not less than six (6) months; at least 750 hours shall be devoted to the practical application of beauty culture upon persons who have appeared at the school for such purpose. For this service no charge shall be made in excess of the cost of the materials used. Time spent in the study of beauty culture under a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province pursuant to the provisions of Section 13 of this Act, shall, however, be credited upon the period of study required by the provisions of this paragraph; and

(e) Who has passed a satisfactory examination conducted by the Department of Registration and Education to determine his fitness to receive a certificate of registration as a post-graduate beauty culturist; and

(f) Who is a citizen of the United States or who has made a declaration of intention to become a citizen or who, having made such declaration of intention, has filed a petition for naturalization within thirty days after becoming eligible to do so.

Such certificate shall permit the holder to practice beauty culture only under the immediate supervision of a registered beauty culturist. Each registered beauty culturist shall report the employment of each post-graduate beauty culturist in his service. (As amended by Act approved July 31, 1943.)

§ 5a. A holder of a certificate of registration as a post-graduate beauty culturist may obtain a certificate as a registered beauty culturist upon application to the Department of Registration and Education and proof of operation in a beauty culture shop and two years of practice as a post-graduate beauty culturist, and upon passing an examination conducted by the Department of Registration and Education. (As amended by Act approved July 31, 1943.)

§ 6. A person is qualified to receive a certificate as a registered apprentice:

(a) Who is at least sixteen years of age; and

(b) Who is of good moral character and temperate habits; and

(c) Who has graduated from an eighth grade elementary school, or who has completed an equivalent course of study as determined by an examination conducted by the Department of Registration and Education; and

(d) Who has entered upon the study of beauty culture under a beauty culturist registered under the laws of this State; and

(e) Who is a citizen of the United States or who has made a declaration of intention to become a citizen or who, having made such declaration of intention, has filed a petition for naturalization within thirty days after becoming eligible to do so. (As amended by Act approved July 31, 1943.)

§ 7. Every person who desires to obtain a certificate of registration shall apply therefor to the Department of Registration and Education in writing, on blanks prepared and furnished by the Department of Registration and Education. Each application shall contain proof of the particular qualifications required of the applicant, shall be verified by the applicant under oath, and shall be accompanied by the required fee.

§ 8. The Department of Registration and Education shall hold examinations of applicants for certificates of registration as registered beauty culturists at such times and places as it may determine.

The examination of applicants for certificates of registration as registered beauty culturists may include both practical demonstrations and written or oral tests, and shall embrace the subjects normally taught in schools of beauty culture approved by the Department of Registration and Education.

The Department of Registration and Education shall conduct not less than four (4) examinations for certificates of registration as registered beauty culturists a calendar year. (As amended by Act approved June 20, 1935.)

§ 9. Whenever the provisions of this Act have been complied with, the Department of Registration and Education shall issue a certificate of registration as a post-graduate or registered beauty culturist or a certificate of registration as a registered apprentice, as the case may be.

§ 10. Every holder of a certificate of registration shall display it in a conspicuous place in his principal office, place of business or employment.

Whenever a registered beauty culturist practices beauty culture outside of or away from his principal office, place of business, or employment, he shall deliver to each person in his care a certificate of identification. This certificate shall contain his signature, the number and date of his certificate of registration, the post office address of his principal office, place of business or employment, and the date upon which the certificate of identification is delivered to the person under his care.

§ 11. Every post-graduate or registered beauty culturist and every registered appren-

tice who continues in active practice or service shall, annually, on or before the first day of April of each year, renew his certificate of registration and pay the required renewal fee. Every certificate of registration which has not been renewed during the month of April in any year, shall expire on the first day of May in that year. A post-graduate or registered beauty culturist whose certificate of registration has expired may have his certificate of registration restored immediately upon payment of all lapsed renewal fees and also upon payment of the required restoration fee, provided, however, not more than five (5) years have elapsed since the date of expiration.

A post-graduate or registered beauty culturist whose certificate of registration has expired for more than five (5) years may have his certificate of registration restored only by passing an oral and practical examination to determine his fitness to have his certificate of registration restored and by paying the required fee.

Every registered beauty culturist shall annually, at the time of renewal, notify the Department of the names and addresses of employers or place of business operated during the preceding year.

The certificate of registration of a registered beauty culturist shall lapse, if the holder becomes inactive in the practical application of beauty culture for two years. Such a practice may not be resumed or such a person may not operate a shop of beauty culture until authority has been granted by the Department and then only upon proof that she has completed a six weeks' "Post-Graduate" course in a recognized school of beauty culture.

No certificate of any registered apprentice shall be renewed more than twice and then not unless in the case of the second application for renewal, the applicant presents to the

Department of Registration and Education the following: a statement of the time spent in the study of beauty culture and practical application of beauty culture, certified by the registered beauty culturist under whom the service as an apprentice was performed; an affidavit of the registered beauty culturist under whom the service as an apprentice was performed verifying the fact that the applicant has spent at least two hundred fifty (250) hours in the study of beauty culture not including the practical application; provided, however, that nothing herein contained shall operate to prevent a registered apprentice from holding an apprentice license for one year.

An applicant whose certificate as a registered apprentice shall have been renewed twice, shall not, subsequently, be granted a certificate as a registered apprentice in a beauty culture establishment under the personal supervision of a beauty culturist, but shall have the right to enter a school of beauty culture approved by the Department of Registration and Education and attend said school for not longer than the duration of the minimum course of study required for graduation from said school. Such an applicant shall not subsequently be admitted to an examination to determine his fitness to receive a certificate of registration as a beauty culturist except on the basis of graduation from said school of beauty culture.

If an applicant for registration as a post-graduate beauty culturist or registered beauty culturist shall be unsuccessful at two examinations conducted by the Department of Registration and Education, he shall, before taking a subsequent examination, furnish evidence that he has diligently pursued the study of beauty culture since his last examination. An applicant who has been rejected at the fifth examination shall not again

be admitted to an examination unless the Department of Registration and Education, in its discretion, shall permit him to do so. However, any post-graduate beauty culturist or registered beauty culturist or registered apprentice whose certificate of registration has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate of registration restored without paying any lapsed renewal fees or restoration fee if within one year after termination of such service, training or education other than by dishonorable discharge he furnishes the Department with an affidavit to the effect that he has been so engaged and that his service, training or education has been so terminated. (As amended by Act approved July 31, 1943.)

§ 12. The Department of Registration and Education may either refuse to renew, or may suspend, or may revoke any certificate of registration for any one or combination of the following causes:

(a) Conviction of a felony as shown by a certified copy of the record of the court of conviction or conviction of any of the misdemeanors listed in Section 16, as shown by a certified copy of the record of the court of conviction:

(b) The obtaining of or an attempt to obtain a certificate of registration, or money, or any other thing of value, by fraudulent misrepresentation;

(c) Practice in the profession, or an attempt to practice in the profession, by fraudulent misrepresentation;

(d) Gross malpractice or gross incompetency;

(e) Continued practice by a person knowingly having an infectious or contagious disease;

(f) Advertising by means of knowingly false or deceptive statements;

(g) Violating any of the sanitary regulations as provided in this Act;

(h) Habitual drunkenness or habitual addiction to the use of morphine, cocaine or other habit forming drugs;

(i) Immoral or unprofessional conduct;

(j) Permitting any person to use for any unlawful or fraudulent purpose one's certificate of registration as a registered beauty culturist or registered apprentice.

The Department may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts which if proven would constitute grounds for refusal, suspension or revocation as hereinabove set forth, investigate the actions of any person holding or claiming to hold a certificate.

The Department shall, before refusing to issue, suspending or revoking any certificate, at least ten (10) days prior to the date set for the hearing, notify in writing the applicant or the holder of such certificate of any charges made and shall afford such accused person an opportunity to be heard in person or by counsel in reference thereto. Such written notice may be served by the delivery of the same personally to the accused person, or by mailing the same by registered mail to the place of business last theretofore specified by the accused person in his last notification to the Department. At the time and place fixed in the notice, the Beauty Culture Committee designated by the Director of Registration and Education, as provided in this Act, shall proceed to hearing of the charges and both

the accused person and the complainant shall be accorded ample opportunity to present in person or by counsel, such statements, testimony, evidence and arguments as may be pertinent to the charges or to any defense thereto. The Committee may continue such hearing from time to time. If the Committee is not sitting at the time and place fixed in the notice or at the time and place to which hearing has been continued, the Department shall continue such hearing for a period not to exceed thirty (30) days.

Upon the suspension or revocation of any certificate of registration the Department of Registration and Education shall stamp such certificate of registration with the words "suspended" or "revoked" as the case may be together with the date of such suspension or revocation.

The entry of a decree by any court of competent jurisdiction establishing the insanity of any person holding a certificate of registration under this Act operates as a suspension of such certificate of registration. Such person may resume his practice only upon a finding by the Beauty Culture Committee that the holder of such certificate of registration has been declared restored to sanity by a court of competent jurisdiction and upon the Committee's recommendation to the Director that such holder be permitted to resume his practice. (As amended by Act filed July 27, 1943.)

§ 12-a. The Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Director, Assistant Director, Superintendent of Registration and any member of the Beauty Culture Committee shall each have

power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department. (Added by Act approved July 10, 1935.)

§ 12-b. Any Circuit or Superior Court or any judge thereof, either in term time or vacation, upon the application of the accused person or complainant or of the Department, may by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the Department in any hearing relative to the application for or refusal, recall, suspension or revocation of certificates of registration, and the court or judge may compel obedience to its or his order by proceedings for contempt. (Added by Act approved July 10, 1935.)

§ 12-c. The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case wherein a certificate is revoked or suspended. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person interested in such hearing upon payment therefor of twenty-five cents per one hundred words for each original transcript and eight cents per one hundred words for each carbon copy thereof ordered with the original: Provided that the charge for any part of such transcript ordered and paid for previous to the writing of the original record thereof shall be eight cents per hundred words. (Added by Act approved July 10, 1935.)

§ 12-d. The Committee shall present to the Director its written report of its findings and recommendations. A copy of such report shall be served upon the accused person, either personally or by registered mail as provided in this section for the service of the citation. Within twenty (20) days after such service, said accused person may present to the Department his motion in writing for a rehearing, which written motion shall specify the particular grounds therefor. If said accused person shall order and pay for a transcript of the record as provided in this section, the time elapsing thereafter and before such transcript is ready for delivery to him shall not be counted as part of such twenty days.

Whenever the Director is satisfied that substantial justice has not been done, he may order a rehearing by the same or another special committee. At the expiration of the time specified for filing a motion for a rehearing the Director shall have the right to take the action recommended by the committee. Upon the suspension or revocation of his certificate of registration a registrant shall be required to surrender his certificate of registration to the Department, and upon his failure or refusal so to do, the Department shall have the right to seize the same. (Added by Act approved July 10, 1935.)

§ 12-e. At any time after the suspension or revocation of any certificate, the Department may restore it to the accused person without examination, upon the written recommendation of the Beauty Culture Committee. (Added by Act approved July 10, 1935.)

§ 12-f. The Circuit or Superior Court of the County wherein the accused person resides shall have power to review any order of revocation or suspension and all questions of law

and fact thereon by writ of certiorari to the Department, provided that if the accused person is not a resident of this State and the venue is not otherwise fixed herein, such venue shall be in Sangamon County.

Such writ shall be issued by the Clerk of the Court upon praecipe and it shall be served at least ten days before the return day thereof. Service upon the Director, Assistant Director or Superintendent of Registration shall be service on the Department. Such suit shall be commenced within twenty days of the accused person's receipt of notice of the order of refusal, revocation or suspension. The Department shall not be required to certify the record of its proceedings unless the accused person shall first pay to it the sum of five cents per one hundred words of such record. Exhibits shall be certified without cost.

No department order of suspension or revocation shall be set aside or vacated on any ground not specified in the written motion for rehearing provided for in Section 12-e. (Added by Act approved July 10, 1935.)

§ 12-g. An order of revocation or suspension or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Committee and the members thereof are qualified to act.

Such proof may be rebutted. Such order of revocation or suspension shall be conclusive proof that all precedent and concurrent acts of department officers and of the committee necessary to the validity of such order were pursuant to authority conferred by the Director. (Added by Act approved July 10, 1935.)

§ 12-h. Appeals from all final orders and judgments entered by a Circuit or Superior Court in review of an order of the Department may be taken directly to the Supreme Court by either party to the action within sixty days after service of a copy of the order or judgment of the Circuit or Superior Court, and shall be governed by the rules applying to other civil cases appealed to said Supreme Court, except that formal pleadings shall not be required. (Added by Act approved July 10, 1935.)

§ 12-i. The pendency of an appeal or writ of certiorari shall not of itself stay or suspend the operation of an order of revocation or suspension; but during the pendency of such suit or appeal, the Circuit or Superior Court or the Supreme Court, as the case may be, in its discretion, may stay the operation of such order in whole or in part upon such terms and conditions as the court may prescribe. No such stay shall be granted by the court otherwise than upon ten days' notice to the Department and after a hearing. (Added by Act approved July 10, 1935.)

§ 13. Upon payment of the required fee, an applicant who is a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province may, without examination, be granted a certificate of registration as a registered beauty culturist by the Department of Registration and Education in its discretion upon the following conditions:

(a) That the applicant is at least sixteen years of age and of good moral character and habits; and

(b) That the requirements for the registration or licensing of beauty culturists in the particular state, territory, country or province were, at the date of the license, substantially equivalent to the requirements then in force in this State.

The Department of Registration and Education shall prescribe reasonable rules and regulations governing the recognition of and the credit to be given to the study of beauty culture under a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province by an applicant for a certificate of registration as a registered beauty culturist.

§ 14. The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration as a registered beauty culturist is ten dollars (\$10.00).

The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration as a post-graduate beauty culturist is ten dollars (\$10.00).

The fee to be paid by an applicant for a certificate of registration as a post-graduate beauty culturist is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate of registration as a registered apprentice is one dollar (\$1.00).

The fee to be paid by an applicant to determine his preliminary education is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate of registration as a registered or post-graduate beauty culturist, who is a beauty culturist, registered or licensed under the laws of another state or territory of the United States or a foreign country or province, is fifteen dollars (\$15.00).

The fee to be paid upon the renewal of a certificate of registration is one dollar (\$1.00).

The fee to be paid by an applicant for a certificate of registration as a student beauty culturist is one dollar (\$1.00).

The fee to be paid for the restoration of an expired certificate of registration as a regis-

tered or post-graduate beauty culturist is five dollars (\$5.00).

The fee to be paid for the restoration of an expired certificate of registration as a registered apprentice is two dollars (\$2.00). As amended by Act approved July 31, 1943.)

§ 15. Repealed by Act approved July 10, 1935.

§ 16. Each of the following, if done after October 1, 1925, constitutes a misdemeanor, punishable upon conviction by a fine of not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00).

(a) The practice of beauty culture or an attempt to practice beauty culture without a certificate of registration as a registered beauty culturist;

(b) Service as an apprentice under a registered beauty culturist or an attempt to serve as an apprentice under a registered beauty culturist without a certificate of registration as an apprentice;

(c) Permitting any person in one's employ, supervision or control, to serve as an apprentice under a registered beauty culturist, unless that person has a certificate of registration as a registered apprentice;

(d) The obtaining of or an attempt to obtain a certificate of registration, or money or any other thing of value by fraudulent misrepresentation;

(e) Practice in the profession, or an attempt to practice in the profession by fraudulent misrepresentation;

(f) Wilfully making of any false oath or affirmation whenever an oath or affirmation is required by this Act;

(g) The violation of the provisions of Section 10 of this Act;

(h) Permitting more than one registered apprentice to serve in one's beauty culture

establishment, other than a school of beauty culture approved by the Department of Registration and Education;

(i) Permitting a registered apprentice or any other person not a registered beauty culturist serving under one's supervision to practice beauty culture independently;

(j) Aiding, abetting, or conspiring with any registered apprentice, registered beauty culturist, or any other person in violating the provisions of this Act;

(k) The violation of any of the provisions of this Act. (As amended by Act approved June 20, 1935.)

§ 17. The Department of Registration and Education shall keep a record, which shall be open to public inspection at all reasonable times, of its proceedings relating to the issuance, refusal, renewal, suspension and revocation of certificates of registration. This record shall also contain the name, known place of business and residence and the date and number of the certificate of registration of every registered beauty culturist and registered apprentice in this State.

§ 17a. If a court of competent jurisdiction shall adjudge to be invalid or unconstitutional any clause, sentence, paragraph or part of this Act, such judgment or decree shall not affect, impair, invalidate, or nullify the remainder of this Act, but the effect thereof shall be confined to the clause, sentence, paragraph, or part of this Act so adjudged to be invalid or unconstitutional. (As amended by Act approved July 31, 1943.)

§ 17b. Appropriation.

§ 18. This Act may be known and cited as "The Illinois Beauty Culture Act."

[Printed by authority of the State of Illinois]

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1945

THE ILLINOIS BEAUTY CULTURE ACT

STATE OF ILLINOIS
DWIGHT H. GREEN
Governor



DEPARTMENT OF
REGISTRATION AND EDUCATION
FRANK G. THOMPSON
Director

SPRINGFIELD

GENERAL RULES GOVERNING EXAMINATIONS

1. All communications should be addressed to the Department of Registration and Education, Springfield, Ill.
2. All examinations must be written in the ENGLISH language.
3. Application and fee must be on file at least fifteen days before date of examination. All preliminary qualifications must be verified before examination.
4. Unmounted photo, 3 x 5 inches, must accompany application. A duplicate of the photo must be presented at examination, both bearing certificate as to signature and identity by the two persons who signed the letters of recommendation accompanying photo.
5. Applicants must present letters of admission and photographs on day of examination.
6. Examinations will begin promptly at 8:30 A. M.
7. Applicants taking the Beauty Culture examination must make a general average of 75% in both the practical and written work, with not less than 60% in any branch. The examination includes all branches of the Beauty Culture profession.
8. Applications of unsuccessful applicants may be reinstated upon the payment of a fee of five dollars. An unsuccessful applicant is required to re-take the subjects in which she failed to make a grade of 75%.
9. Remittances should be made by postal or express money order or bank draft, payable to the Department of Registration and Education, Springfield, Illinois. **DO NOT SEND CURRENCY OR PERSONAL CHECK.**

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THE ILLINOIS BEAUTY CULTURE ACT

An Act relating to the practice of beauty culture. Approved June 30, 1925.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. It is unlawful for any person to practice, or attempt to practice, beauty culture, without a certificate of registration as a registered beauty culturist, issued by the Department of Registration and Education, pursuant to the provisions of this Act and of the Civil Administrative Code.

It is also unlawful for any person to serve, or attempt to serve, as an apprentice under a registered beauty culturist without a certificate of registration as a registered apprentice issued by the Department of Registration and Education, pursuant to the provisions of this Act and of the Civil Administrative Code. [Amended by Act approved July 24, 1945.]

Sec. 2. Any one or any combination of the following practices constitutes the practice of beauty culture when done for cosmetic or beautifying purposes and not for the treatment of disease or of muscular or nervous disorder.

The application of cosmetic preparations to the human body by massaging, stroking, kneading, slapping, tapping, stimulating, manipulating, exercising, cleansing, beautifying, or by means of devices, apparatus or appliances; arranging, dressing, marcelling, curling, waving, cleansing, singeing, bleaching, coloring, dyeing,

tinting, or otherwise treating by any means the hair of any person. However, the provisions of this Act shall not authorize any registered beauty culturist to cut or clip the hair of any person unless he has first obtained a certificate of registration as a barber under the provisions of "An Act to regulate the pursuit of the business, art and avocation of a barber, and to insure the better qualifications of persons following such business in the State of Illinois," approved June 10, 1909, as amended.

Sec. 3. No registered apprentice may independently practice beauty culture. A registered apprentice may, however, under the immediate personal supervision of a designated registered beauty culturist, assist a registered beauty culturist in the practice of beauty culture but no registered beauty culturist may receive from such registered apprentice any money or thing of value for such assistance. The designation of such registered beauty culturist shall be reported to the Department of Registration and Education by the registered beauty culturist. Not more than one registered apprentice shall serve in any beauty culture establishment, but this section shall not apply to students in schools of beauty culture. [As amended by Act approved July 24, 1945.]

Sec. 4. The provisions of this Act do not apply to registered barbers, except as to permanent waving and marcel waving.

Sec. 4a. The Department of Registration and Education shall exercise, subject to the provisions of this Act, the following functions, powers and duties:

(1) Conduct examinations to ascertain the qualifications and fitness of applicants for certificates of registration as registered beauty

culturists, and pass upon the qualifications of applicants for reciprocal licenses, certificates and authorities.

(2) Prescribe rules and regulations for a method of examination of candidates.

(3) Prescribe rules and regulations defining what shall constitute a school, college or university, or department of a university, or other institution, reputable and in good standing, and to determine the reputability and good standing of a school, college or university, or department of a university or other institution by reference to a compliance with such rules and regulations but no school, college or university, or department of a university or other institution that refuses admittance to applicants, solely on account of race, color or creed shall be considered reputable and in good standing.

(4) Establish a standard of preliminary education requisite to admission to a school, college or university, and to require satisfactory proof of the enforcement of such standard by schools, colleges and universities.

(5) Conduct hearings on proceedings to suspend or revoke or refuse renewal of licenses, certificates or authorities of persons applying for registration or registered under the provisions of this Act and to suspend, revoke or refuse to renew such licenses or certificates or authorities.

(6) Prescribe reasonable rules and regulations governing the sanitary regulation and inspection of beauty culture shops, subject to the approval of the Department of Public Health.

(7) Formulate rules and regulations when required in any Act to be administered.

None of the foregoing functions or duties enumerated in this section shall be exercised

by the Department of Registration and Education except upon the action and report in writing of the Beauty Culture Committee, which shall be composed of persons designated from time to time by the Director of Registration and Education to take such action and to make such report for the profession involved herein as follows:

Three (3) practical beauty culturists, no two to be graduates of the same school, each of whom has been for the last five years preceding his appointment engaged in the occupation of beauty culture in this State, and no one of whom is a member of, or a stockholder in any school of beauty culture, or a manufacturer, jobber or stockholder in any factory of beauty culture articles.

The action and report in writing of a majority of the Committee designated shall be sufficient authority upon which the Director of Registration and Education may act.

In making the designation of persons to act, the Director shall give due consideration to recommendations by members of the profession and by organizations therein.

Whenever the Director is satisfied that substantial justice has not been done in an examination, he may order a re-examination by the same or other examiners. [Amended by Act approved July 24, 1945].

Sec. 5. A person is qualified to receive a certificate of registration as a registered beauty culturist:

(a) Who is at least sixteen years of age; and

(b) Who is of good moral character and temperate habits; and

(c) Who has graduated from an eighth grade elementary school, or who has completed

an equivalent course of study determined by an examination conducted by the Department of Registration and Education; and

(d) Who has either studied beauty culture for one year as a registered apprentice under a beauty culturist registered under the laws of this State or has graduated from a school of beauty culture approved by the Department of Registration and Education. No school of beauty culture shall be approved by the Department of Registration and Education unless it has a minimum requirement of a course of study consisting of not less than one thousand (1,000) hours extending over a period of not less than six (6) months. Time spent in the study of beauty culture under a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province pursuant to the provisions of Section 13 of this Act, shall be credited upon the period of study required by the provisions of this paragraph; and

(e) Who has passed an examination conducted by the Department of Registration and Education to determine his fitness to receive a certificate of registration as a registered beauty culturist; and

(f) Who is a citizen of the United States or who has made a declaration of intention to become a citizen and having made such declaration has filed a petition for naturalization within thirty days after becoming eligible to do so. [Amended by Act approved July 24, 1945.]

Sec. 5a. Repealed by Act approved July 24, 1945.

Sec. 6. A person is qualified to receive a certificate as a registered apprentice:

(a) Who is at least sixteen years of age; and

(b) Who is of good moral character and temperate habits; and

(c) Who has graduated from an eighth grade elementary school, or who has completed an equivalent course of study as determined by an examination conducted by the Department of Registration and Education; and

(d) Who has entered upon the study of beauty culture under a beauty culturist registered under the laws of this State; and

(e) Who is a citizen of the United States or who has made a declaration of intention to become a citizen and having made such declaration has filed a petition for naturalization within thirty days after becoming eligible to do so. [Amended by Act approved July 24, 1945.]

Sec. 7. Every person who desires to obtain a certificate of registration shall apply therefor to the Department of Registration and Education in writing, on blanks prepared and furnished by the Department of Registration and Education. Each application shall contain proof of the particular qualifications required of the applicant, shall be verified by the applicant under oath, and shall be accompanied by the required fee.

Sec. 8. The Department of Registration and Education shall hold examinations of applicants for certificates of registration as registered beauty culturists at such times and places as it may determine.

The examination of applicants for certificates of registration as registered beauty culturists may include both practical demonstrations and

written or oral tests, and shall embrace the subjects normally taught in schools of beauty culture approved by the Department of Registration and Education.

The Department of Registration and Education shall conduct not less than four (4) examinations for certificates of registration as registered beauty culturists a calendar year. [As amended by Act approved June 20, 1935.]

Sec. 9. Whenever the provisions of this Act have been complied with, the Department of Registration and Education shall issue a certificate of registration as a registered beauty culturist or a certificate of registration as a registered apprentice as the case may be. [Amended by Act approved July 24, 1945.]

Sec. 10. Every holder of a certificate of registration shall display it in a conspicuous place in his principal office, place of business or employment.

Whenever a registered beauty culturist practices beauty culture outside of or away from his principal office, place of business, or employment, he shall deliver to each person in his care a certificate of identification. This certificate shall contain his signature, the number and date of his certificate of registration, the post office address of his principal office, place of business, or employment and the date upon which the certificate of identification is delivered to the person under his care.

Sec. 11. Every registered beauty culturist and every registered apprentice who continues in active practice or service shall, annually, on or before the first day of September of each year, renew his certificate of registration and pay the required renewal fee. Every certificate of registration which has not been renewed during the month of September in any year,

shall expire on the first day of October in that year. All certificates of registration remaining in good standing on the effective date of this amendatory act shall expire on the first day of October, 1946, unless renewed during the month of September of that year. A registered beauty culturist whose certificate of registration has expired may have his certificate of registration restored immediately upon payment of all lapsed renewal fees and also upon payment of the required restoration fee, provided, however, not more than five (5) years have elapsed since the date of expiration.

A registered beauty culturist whose certificate of registration has expired for more than five (5) years may have his certificate of registration restored only by passing an oral and practical examination to determine his fitness and by paying the required fee.

No certificate of any registered apprentice shall be renewed more than twice and then not unless in the second application for renewal, the applicant presents to the Department of Registration and Education the following: a statement of the time spent in the study of beauty culture and practical application of beauty culture certified by the registered beauty culturist under whom the service as an apprentice was performed; and affidavit of the registered beauty culturist under whom the service as an apprentice was performed verifying the fact that the applicant has spent at least two hundred fifty (250) hours in the study of beauty culture not including the practical application; provided that nothing herein contained shall operate to prevent registered apprentice from holding an apprentice license for one year.

An applicant whose certificate as a registered apprentice has been renewed twice, shall not be granted a certificate as a regis-

tered apprentice in a beauty culture establishment under the personal supervision of a beauty culturist but shall have the right to enter a school of beauty culture approved by the Department of Registration and Education and attend the school for not longer than the duration of the minimum course of study required for graduation from said school. Such applicant shall not subsequently be admitted to an examination to determine his fitness to receive a certificate of registration as a beauty culturist except on the basis of graduation from said school of beauty culture.

If an applicant for registration as a registered beauty culturist shall be unsuccessful at two examinations conducted by the Department of Registration and Education, he shall, before taking a subsequent examination, furnish evidence that he has diligently pursued the study of beauty culture since his last examination. An applicant who has been rejected at the fifth examination shall not again be admitted to an examination unless the Department of Registration and Education, in its discretion, shall permit him to do so. However, any registered beauty culturist or registered apprentice whose certificate of registration has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Coast Guard, or any women's auxiliary thereof, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate of registration restored without paying any lapsed renewal fees or restoration fee if within one year after termination of such service, training or education other than by dishonorable dis-

charge he furnishes the Department with an affidavit to the effect that he has been so engaged and that his service, training or education has been so terminated. [Amended by Act approved July 24, 1945.]

Sec. 12. The Department of Registration and Education may either refuse to renew, or may suspend or may revoke any certificate of registration for any one or combination of the following causes:

(a) Conviction of a felony as shown by a certified copy of the record of the court of conviction or conviction of any of the misdemeanors listed in Section 16, as shown by a certified copy of the record of the court of conviction;

(b) The obtaining of or an attempt to obtain a certificate of registration, or money, or any other thing of value, by fraudulent misrepresentation;

(c) Practice in the profession, or an attempt to practice in the profession, by fraudulent misrepresentation;

(d) Gross malpractice or gross incompetency;

(e) Continued practice by a person knowingly having an infectious or contagious disease;

(f) Advertising by means of knowingly false or deceptive statements;

(g) Violating any of the sanitary regulations as provided in this Act;

(h) Habitual drunkenness or habitual addiction to the use of morphine, cocaine or other habit forming drugs;

(i) Immoral or unprofessional conduct;

(j) Permitting any person to use for any unlawful or fraudulent purpose one's certifi-

cate of registration as a registered beauty culturist or registered apprentice.

The Department may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts which if proven would constitute grounds for refusal, suspension or revocation as hereinabove set forth, investigate the actions of any person holding or claiming to hold a certificate.

The Department shall, before refusing to issue, suspending or revoking any certificate, at least ten (10) days prior to the date set for the hearing, notify in writing the applicant or the holder of such certificate of any charges made and shall afford such accused person an opportunity to be heard in person or by counsel in reference thereto. Such written notice may be served by the delivery of the same personally to the accused person, or by mailing the same by registered mail to the place of business last theretofore specified by the accused person in his last notification to the Department. At the time and place fixed in the notice, the Beauty Culture Committee designated by the Director of Registration and Education, as provided in this Act, shall proceed to hearing of the charges and both the accused person and the complainant shall be accorded ample opportunity to present in person or by counsel, such statements, testimony, evidence and arguments as may be pertinent to the charges or to any defense thereto. The Committee may continue such hearing from time to time. If the Committee is not sitting at the time and place fixed in the notice or at the time and place to which hearing has been continued, the Department shall continue such hearing for a period not to exceed thirty (30) days.

Upon the suspension or revocation of any certificate of registration the Department of

Registration and Education shall stamp such certificate of registration with the words "suspended" or "revoked" as the case may be together with the date of such suspension or revocation.

The entry of a decree by any court of competent jurisdiction establishing the insanity of any person holding a certificate of registration under this Act operates as a suspension of such certificate of registration. Such person may resume his practice only upon a finding by the Beauty Culture Committee that the holder of such certificate of registration has been declared restored to sanity by a court of competent jurisdiction and upon the Committee's recommendation to the Director that such holder be permitted to resume his practice. [As amended by Act filed July 27, 1943.]

Sec. 12a. The Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Director, Assistant Director, Superintendent of Registration and any member of the Beauty Culture Committee shall each have power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department. [Added by Act approved July 10, 1935.]

Sec. 12b. Any Circuit or Superior Court or any judge thereof, either in term time or vacation, upon the application of the accused person or complainant or of the Department, may by order duly entered, require the attendance of witnesses and the production of

relevant books and papers before the Department in any hearing relative to the application for or refusal, recall, suspension or revocation of certificates of registration, and the court or judge may compel obedience to its or his order by proceedings for contempt. [Added by Act approved July 10, 1935.]

Sec. 12c. The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case wherein a certificate is revoked or suspended. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person interested in such hearing upon payment therefor of twenty-five cents per one hundred words for each original transcript and eight cents per one hundred words for each carbon copy thereof ordered with the original: Provided that the charge for any part of such transcript ordered and paid for previous to the writing of the original record thereof shall be eight cents per hundred words. [Added by Act approved July 10, 1935.]

Sec. 12d. The Committee shall present to the Director its written report of its findings and recommendations. A copy of such report shall be served upon the accused person, either personally or by registered mail as provided in this section for the service of the citation. Within twenty (20) days after such service, said accused person may present to the Department his motion in writing for a rehearing, which written motion shall specify the particular grounds therefor. If said accused

person shall order and pay for a transcript of the record as provided in this section, the time elapsing thereafter and before such transcript is ready for delivery to him shall not be counted as part of such twenty days.

Whenever the Director is satisfied that substantial justice has not been done, he may order a rehearing by the same or another special committee. At the expiration of the time specified for filing a motion for a rehearing the Director shall have the right to take the action recommended by the committee. Upon the suspension or revocation of his certificate of registration a registrant shall be required to surrender his certificate of registration to the Department, and upon his failure or refusal so to do, the Department shall have the right to seize the same. [Added by Act approved July 10, 1935.]

Sec. 12e. At any time after the suspension or revocation of any certificate, the Department may restore it to the accused person without examination, upon the written recommendation of the Beauty Culture Committee. [Added by Act approved July 10, 1935.]

Sec. 12f. The Circuit or Superior Court of the County wherein the accused person resides shall have power to review any order of revocation or suspension and all questions of law and fact thereon by writ of certiorari to the Department, provided that if the accused person is not a resident of this State and the venue is not otherwise fixed herein, such venue shall be in Sangamon County.

Such writ shall be issued by the Clerk of the Court upon praecipe and it shall be served at least ten days before the return day thereof. Service upon the Director, Assistant Director or Superintendent of Registration shall

be service on the Department. Such suit shall be commenced within twenty days of the accused person's receipt of notice of the order of refusal, revocation or suspension. The Department shall not be required to certify the record of its proceedings unless the accused person shall first pay to it the sum of five cents per one hundred words of such record. Exhibits shall be certified without cost.

No department order of suspension or revocation shall be set aside or vacated on any ground not specified in the written motion for rehearing provided for in Section 12e. [Added by Act approved July 10, 1935.]

Sec. 12g. An order of revocation or suspension or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Committee and the members thereof are qualified to act.

Such proof may be rebutted. Such order of revocation or suspension shall be conclusive proof that all precedent and concurrent acts of department officers and of the committee necessary to the validity of such order were pursuant to authority conferred by the Director. [Added by Act approved July 10, 1935.]

Sec. 12h. Appeals from all final orders and judgments entered by a Circuit or Superior Court in review of an order of the Department may be taken directly to the Supreme Court by either party to the action within sixty days after service of a copy of the order

or judgment of the Circuit or Superior Court, and shall be governed by the rules applying to other civil cases appealed to said Supreme Court, except that formal pleadings shall not be required. [Added by Act approved July 10, 1935.]

Sec. 12i. The pendency of an appeal or writ of certiorari shall not of itself stay or suspend the operation of an order of revocation or suspension; but during the pendency of such suit or appeal, the Circuit or Superior Court or the Supreme Court, as the case may be, in its discretion, may stay the operation of such order in whole or in part upon such terms and conditions as the court may prescribe. No such stay shall be granted by the court otherwise than upon ten days' notice to the Department and after a hearing. [Added by Act approved July 10, 1935.]

Sec. 13. Upon payment of the required fee, an applicant who is a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province may, without examination, be granted a certificate of registration as a registered beauty culturist by the Department of Registration and Education in its discretion upon the following conditions:

(a) That the applicant is at least sixteen years of age and of good moral character and habits; and

(b) That the requirements for the registration or licensing of beauty culturists in the particular state, territory, country or province were, at the date of the license, substantially equivalent to the requirements then in force in this State.

The Department of Registration and Education shall prescribe reasonable rules and

regulations governing the recognition of and the credit to be given to the study of beauty culture under a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province by an applicant for a certificate of registration as a registered beauty culturist.

Sec. 14. The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration as a registered beauty culturist is ten dollars (\$10.00).

The fee to be paid by an applicant for a certificate of registration as a registered apprentice is one dollar (\$1.00).

The fee to be paid by an applicant to determine his preliminary education is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate of registration as a registered beauty culturist, who is a beauty culturist, registered or licensed under the laws of another state or territory of the United States or a foreign country or province, is fifteen dollars (\$15.00).

The fee to be paid upon the renewal of a certificate of registration is one dollar (\$1.00).

The fee to be paid for the restoration of an expired certificate of registration as a registered beauty culturist is five dollars (\$5.00).

The fee to be paid for the restoration of an expired certificate of registration as a registered apprentice is two dollars (\$2.00).

The fee to be paid for a second and subsequent examination for registration as a registered beauty culturist is five dollars (\$5.00).

The fee to be paid by an applicant upon filing an application for examination to determine his fitness to teach theory and practical beauty culture is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate to teach theory and practical, or practical beauty culture only, is five dollars (\$5.00).

The fee to be paid for a second and subsequent examination for a certificate to teach theory and practical beauty culture is five dollars (\$5.00).

The fee to be paid by an applicant upon filing an application for change of name and issuance of a certificate of registration thereon is two dollars (\$2.00).

The fee to be paid for a certified statement that a registrant is a registered beauty culturist in this State is five dollars (\$5.00).
[Amended by Act approved July 24, 1945.]

Sec. 15. Repealed by Act approved July 10, 1935.

Sec. 16. Each of the following, if done after October 1, 1925, constitutes a misdemeanor, punishable upon conviction by a fine of not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00).

(a) The practice of beauty culture or an attempt to practice beauty culture without a certificate of registration as a registered beauty culturist:

(b) Service as an apprentice under a registered beauty culturist or an attempt to serve as an apprentice under a registered beauty culturist without a certificate of registration as an apprentice:

(c) Permitting any person in one's employ, supervision or control, to serve as an

apprentice under a registered beauty culturist, unless that person has a certificate of registration as a registered apprentice:

(d) The obtaining of or an attempt to obtain a certificate of registration, or money or any other thing of value by fraudulent misrepresentation:

(e) Practice in the profession, or an attempt to practice in the profession by fraudulent misrepresentation:

(f) Wilfully making of any false oath or affirmation whenever an oath or affirmation is required by this Act:

(g) The violation of the provisions of Section 10 of this Act.

(h) Permitting more than one registered apprentice to serve in one's beauty culture establishment, other than a school of beauty culture approved by the Department of Registration and Education.

(i) Permitting a registered apprentice or any other person not a registered beauty culturist serving under one's supervision to practice beauty culture independently.

(j) Aiding, abetting, or conspiring with any registered apprentice, registered beauty culturist, or any other person in violating the provisions of this Act.

(k) The violation of any of the provisions of this Act. [As amended by Act approved June 20, 1935.]

Sec. 17. The Department of Registration and Education shall keep a record, which shall be open to public inspection at all reasonable times, of its proceedings relating to the issuance, refusal, renewal, suspension and revocation of certificates of registration. This record shall also contain the name, known

place of business and residence and the date and number of the certificate of registration of every registered beauty culturist and registered apprentice in this State.

Secs. 17a, 17b. Repealed by Act approved July 24, 1945.

Sec. 18. This Act may be known and cited as "The Illinois Beauty Culture Act."

(Printed by authority of the State of Illinois)

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THE ILLINOIS BEAUTY CULTURE ACT

STATE OF ILLINOIS
ADLAI E. STEVENSON

Governor



DEPARTMENT OF
REGISTRATION and EDUCATION

NOBLE J. PUFFER
Director

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GENERAL RULES GOVERNING EXAMINATIONS

1. All communications should be addressed to the Department of Registration and Education, Springfield, Ill.
2. All examinations must be written in the ENGLISH language.
3. Application and fee must be on file at least fifteen days before date of examination. All preliminary qualifications must be verified before examination.
4. Unmounted photo, 3 x 5 inches, must accompany application. A duplicate of the photo must be presented at examination, both bearing certificate as to signature and identity by the two persons who signed the letters of recommendation accompanying photo.
5. Applicants must present letters of admission and photographs on day of examination.
6. Examinations will begin promptly at 8:30 A. M.
7. Applicants taking the Beauty Culture examination must make a general average of 75% in both the practical and written work, with not less than 60% in any branch. The examination includes all branches of the Beauty Culture profession.
8. Applications of unsuccessful applicants may be reinstated upon the payment of a fee of five dollars. An unsuccessful applicant is required to re-take the subjects in which she failed to make a grade of 75%.
9. Remittances should be made by postal or express money order or bank draft, payable to the Department of Registration and Education, Springfield, Illinois. DO NOT SEND CURRENCY OR PERSONAL CHECK.

THE ILLINOIS BEAUTY CULTURE ACT

An Act relating to the practice of beauty culture, approved June 30, 1925.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. It is unlawful for any person to practice, or attempt to practice, beauty culture, without a certificate of registration as a registered beauty culturist issued by the Department of Registration and Education, pursuant to the provisions of this Act and of the Civil Administrative Code.

It is also unlawful for any person to serve, or attempt to serve, as an apprentice under a registered beauty culturist without a certificate of registration as a registered apprentice issued by the Department of Registration and Education, pursuant to the provisions of this Act and of the Civil Administrative Code. (Amended by Act approved July 24, 1945.)

§ 2. Any one or any combination of the following practices constitutes the practice of beauty culture when done for cosmetic or beautifying purposes and not for the treatment of disease or of muscular or nervous disorder.

The application of cosmetic preparations to the human body by massaging, **stroking**, kneading, slapping, tapping, stimulating, manipulating, exercising, cleansing, beautifying, or by means of devices, apparatus or appliances; arranging, dressing, marcelling, curling, waving, cleansing, singeing, bleaching, coloring, dyeing, tinting, or otherwise treating by any means the hair of any person. However, the provisions of this Act shall not authorize any registered beauty culturist to cut or clip the hair of any person unless he

has first obtained a certificate of registration as a barber under the provisions of "An Act to regulate the pursuit of the business, art and avocation of a barber, and to insure the better qualifications of persons following such business in the State of Illinois," approved June 10, 1909, as amended.

§ 3. No registered apprentice may independently practice beauty culture. A registered apprentice may, however, under the immediate personal supervision of a designated registered beauty culturist, assist a registered beauty culturist in the practice of beauty culture but no registered beauty culturist may receive from such registered apprentice any money or thing of value for such assistance. The designation of such registered beauty culturist shall be reported to the Department of Registration and Education by the registered beauty culturist. Not more than one registered apprentice shall serve in any beauty culture establishment, but this section shall not apply to students in schools of beauty culture. (As amended by Act approved July 24, 1945.)

§ 4. The provisions of this Act do not apply to registered barbers, except as to permanent waving and marcel waving.

§ 4-a. The Department of Registration and Education shall exercise, subject to the provisions of this Act, the following functions, powers and duties:

(1) Conduct examinations to ascertain the qualifications and fitness of applicants for certificates of registration as registered beauty culturists, and pass upon the qualifications of applicants for reciprocal licenses, certificates and authorities.

(2) Prescribe rules and regulations for a method of examination of candidates.

(3) Prescribe rules and regulations defining what shall constitute a school, college or

university, or department of a university, or other institution, reputable and in good standing, and to determine the reputability and good standing of a school, college or university, or department of a university or other institution by reference to a compliance with such rules and regulations; but no school, college or university, or department of a university or other institution that refuses admittance to applicants, solely on account of race, color or creed shall be considered reputable and in good standing.

(4) Establish a standard of preliminary education requisite to admission to a school, college or university, and to require satisfactory proof of the enforcement of such standard by schools, colleges and universities.

(5) Conduct hearings on proceedings to suspend or revoke or refuse renewal of licenses, certificates or authorities of persons applying for registration or registered under the provisions of this Act and to suspend, revoke or refuse to renew such licenses or certificates or authorities.

(6) Prescribe reasonable rules and regulations governing the sanitary regulation and inspection of beauty culture shops, subject to the approval of the Department of Public Health.

(7) Formulate rules and regulations when required in any Act to be administered.

None of the foregoing functions or duties enumerated in this section shall be exercised by the Department of Registration and Education except upon the action and report in writing of the Beauty Culture Committee, which shall be composed of persons designated from time to time by the Director of Registration and Education to take such action and to make such report for the profession involved herein as follows:

Three (3) practical beauty culturists, no two to be graduates of the same school, each of whom has been for the last five years preceding his appointment engaged in the occupation of beauty culture in this State, and no one of whom is a member of, or a stockholder in any school of beauty culture, or a manufacturer, jobber or stockholder in any factory of beauty culture articles.

The action and report in writing of a majority of the Committee designated shall be sufficient authority upon which the Director of Registration and Education may act.

In making the designation of persons to act, the Director shall give due consideration to recommendations by members of the profession and by organizations therein.

Whenever the Director is satisfied that substantial justice has not been done in an examination, he may order a re-examination by the same or other examiners. (Amended by Act approved July 24, 1945.)

§ 5. A person is qualified to receive a certificate of registration as a registered beauty culturist:

(a) Who is at least sixteen years of age; and

(b) Who is of good moral character and temperate habits; and

(c) Who has graduated from an eighth grade elementary school, or who has completed an equivalent course of study determined by an examination conducted by the Department of Registration and Education; and

(d) Who has either studied beauty culture for one year as a registered apprentice under a beauty culturist registered under the laws of this State, or has graduated from a school of beauty culture approved by the Department of Registration and Education. No school of beauty culture shall be approved by the Depart-

ment of Registration and Education unless it has a minimum requirement of a course of study consisting of not less than one thousand (1,000) hours extending over a period of not less than six (6) months. Time spent in the study of beauty culture under a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province pursuant to the provisions of Section 13 of this Act, shall be credited upon the period of study required by the provisions of this paragraph; and

(e) Who has passed an examination conducted by the Department of Registration and Education to determine his fitness to receive a certificate of registration as a registered beauty culturist; and

(f) Who is a citizen of the United States or who has made a declaration of intention to become a citizen and having made such declaration has filed a petition for naturalization within thirty days after becoming eligible to do so. (Amended by Act approved July 24, 1945.)

§ 5a. Repealed by Act approved July 24, 1945.

§ 6. A person is qualified to receive a certificate as a registered apprentice:

(a) Who is at least sixteen years of age; and

(b) Who is of good moral character and temperate habits; and

(c) Who has graduated from an eighth grade elementary school, or who has completed an equivalent course of study as determined by an examination conducted by the Department of Registration and Education; and

(d) Who has entered upon the study of beauty culture under a beauty culturist registered under the laws of this State; and

(e) Who is a citizen of the United States or who has made a declaration of intention to become a citizen and having made such declaration has filed a petition for naturalization within thirty days after becoming eligible to do so. (Amended by Act approved July 24, 1945.)

§ 7. Every person who desires to obtain a certificate of registration shall apply therefor to the Department of Registration and Education in writing, on blanks prepared and furnished by the Department of Registration and Education. Each application shall contain proof of the particular qualifications required of the applicant, shall be verified by the applicant under oath, and shall be accompanied by the required fee.

§ 8. The Department of Registration and Education shall hold examinations of applicants for certificates of registration as registered beauty culturists at such times and places as it may determine.

The examination of applicants for certificates of registration as registered beauty culturists may include both practical demonstrations and written or oral tests, and shall embrace the subjects normally taught in schools of beauty culture approved by the Department of Registration and Education.

The Department of Registration and Education shall conduct not less than four (4) examinations for certificates of registration as registered beauty culturists a calendar year. (As amended by Act approved June 20, 1935.)

§ 9. Whenever the provisions of this Act have been complied with, the Department of Registration and Education shall issue a certificate of registration as a registered beauty culturist or a certificate of registration as a registered apprentice, as the case may be. (Amended by Act approved July 24, 1945.)

§ 10. Every holder of a certificate of registration shall display it in a conspicuous place

in his principal office, place of business or employment.

Whenever a registered beauty culturist practices beauty culture outside of or away from his principal office, place of business, or employment, he shall deliver to each person in his care a certificate of identification. This certificate shall contain his signature, the number and date of his certificate of registration, the post office address of his principal office, place of business or employment, and the date upon which the certificate of identification is delivered to the person under his care.

§ 11. Every registered beauty culturist and every registered apprentice who continues in active practice or service shall, annually, on or before the first day of September of each year, renew his certificate of registration and pay the required renewal fee. Every certificate of registration which has not been renewed during the month of September in any year, shall expire on the first day of October in that year. All certificates of registration remaining in good standing on the effective date of this amendatory act shall expire on the first day of October, 1946, unless renewed during the month of September of that year. A registered beauty culturist whose certificate of registration has expired may have his certificate of registration restored immediately upon payment of all lapsed renewal fees and also upon payment of the required restoration fee, provided, however, not more than five (5) years have elapsed since the date of expiration.

A registered beauty culturist whose certificate of registration has expired for more than five (5) years may have his certificate of registration restored only by passing an oral and practical examination to determine his fitness and by paying the required fee.

No certificate of any registered apprentice shall be renewed more than twice and then not unless in the second application for renewal, the applicant presents to the Department of Registration and Education the following: a statement of the time spent in the study of beauty culture and practical application of beauty culture, certified by the registered beauty culturist under whom the service as an apprentice was performed; an affidavit of the registered beauty culturist under whom the service as an apprentice was performed verifying the fact that the applicant has spent at least two hundred fifty (250) hours in the study of beauty culture not including the practical application; provided, that nothing herein contained shall operate to prevent registered apprentice from holding an apprentice license for one year.

An applicant whose certificate as a registered apprentice has been renewed twice, shall not, be granted a certificate as a registered apprentice in a beauty culture establishment under the personal supervision of a beauty culturist, but shall have the right to enter a school of beauty culture approved by the Department of Registration and Education and attend the school for not longer than the duration of the minimum course of study required for graduation from said school. Such an applicant shall not subsequently be admitted to an examination to determine his fitness to receive a certificate of registration as a beauty culturist except on the basis of graduation from said school of beauty culture.

If an applicant for registration as a registered beauty culturist shall be unsuccessful at two examinations conducted by the Department of Registration and Education, he shall, before taking a subsequent examination, furnish evidence that he has diligently pursued the study of beauty culture since his last examination. An applicant who has been re-

jected at the fifth examination shall not again be admitted to an examination unless the Department of Registration and Education, in its discretion, shall permit him to do so. However, any registered beauty culturist or registered apprentice whose certificate of registration has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Coast Guard, or any Women's Auxiliary thereof, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate of registration restored without paying any lapsed renewal fees or restoration fee if within two years after termination of such service, training or education other than by dishonorable discharge he furnishes the Department with an affidavit to the effect that he has been so engaged and that his service, training or education has been so terminated. (Amended by Act approved July 18, 1947.)

§ 12. The Department of Registration and Education may either refuse to renew, or may suspend, or may revoke any certificate of registration for any one or combination of the following causes:

(a) Conviction of a felony as shown by a certified copy of the record of the court of conviction or conviction of any of the misdemeanors listed in Section 16, as shown by a certified copy of the record of the court of conviction:

(b) The obtaining of or an attempt to obtain a certificate of registration, or money, or any other thing of value, by fraudulent misrepresentation;

(c) Practice in the profession, or an attempt to practice in the profession, by fraudulent misrepresentation;

(d) Gross malpractice or gross incompetency;

(e) Continued practice by a person knowingly having an infectious or contagious disease;

(f) Advertising by means of knowingly false or deceptive statements;

(g) Violating any of the sanitary regulations as provided in this Act;

(h) Habitual drunkenness or habitual addiction to the use of morphine, cocaine or other habit forming drugs;

(i) Immoral or unprofessional conduct;

(j) Permitting any person to use for any unlawful or fraudulent purpose one's certificate of registration as a registered beauty culturist or registered apprentice.

The Department may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts which if proven would constitute grounds for refusal, suspension or revocation as hereinabove set forth, investigate the actions of any person holding or claiming to hold a certificate.

The Department shall, before refusing to issue, suspending or revoking any certificate, at least ten (10) days prior to the date set for the hearing, notify in writing the applicant or the holder of such certificate of any charges made and shall afford such accused person an opportunity to be heard in person or by counsel in reference thereto. Such written notice may be served by the delivery of the same personally to the accused person, or by mailing the same by registered mail to the place of business last theretofore specified by the accused person in his last notification to the Department. At the time and place fixed in the notice, the Beauty Culture Committee designated by the Director of Registration and Education, as provided in this Act, shall proceed to hearing of the charges and both

the accused person and the complainant shall be accorded ample opportunity to present in person or by counsel, such statements, testimony, evidence and arguments as may be pertinent to the charges or to any defense thereto. The Committee may continue such hearing from time to time. If the Committee is not sitting at the time and place fixed in the notice or at the time and place to which hearing has been continued, the Department shall continue such hearing for a period not to exceed thirty (30) days.

Upon the suspension or revocation of any certificate of registration the Department of Registration and Education shall stamp such certificate of registration with the words "suspended" or "revoked" as the case may be together with the date of such suspension or revocation.

The entry of a decree by any court of competent jurisdiction establishing the insanity of any person holding a certificate of registration under this Act operates as a suspension of such certificate of registration. Such person may resume his practice only upon a finding by the Beauty Culture Committee that the holder of such certificate of registration has been declared restored to sanity by a court of competent jurisdiction and upon the Committee's recommendation to the Director that such holder be permitted to resume his practice. (As amended by Act filed July 27, 1943.)

§ 12-a. The Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Director, Assistant Director, Superintendent of Registration and any member of the Beauty Culture Committee shall each have

power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department. (Added by Act approved July 10, 1935.)

§ 12-b. Any Circuit or Superior Court or any judge thereof, either in term time or vacation, upon the application of the accused person or complainant or of the Department, may by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the Department in any hearing relative to the application for or refusal, recall, suspension or revocation of certificates of registration, and the court or judge may compel obedience to its or his order by proceedings for contempt. (Added by Act approved July 10, 1935.)

§ 12-c. The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case wherein a certificate is revoked or suspended. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person interested in such hearing upon payment therefor of twenty-five cents per one hundred words for each original transcript and eight cents per one hundred words for each carbon copy thereof ordered with the original: Provided that the charge for any part of such transcript ordered and paid for previous to the writing of the original record thereof shall be eight cents per hundred words. (Added by Act approved July 10, 1935.)

§ 12-d. The Committee shall present to the Director its written report of its findings and recommendations. A copy of such report shall be served upon the accused person, either personally or by registered mail as provided in this section for the service of the citation. Within twenty (20) days after such service, said accused person may present to the Department his motion in writing for a rehearing, which written motion shall specify the particular grounds therefor. If said accused person shall order and pay for a transcript of the record as provided in this section, the time elapsing thereafter and before such transcript is ready for delivery to him shall not be counted as part of such twenty days.

Whenever the Director is satisfied that substantial justice has not been done, he may order a rehearing by the same or another special committee. At the expiration of the time specified for filing a motion for a rehearing the Director shall have the right to take the action recommended by the committee. Upon the suspension or revocation of his certificate of registration a registrant shall be required to surrender his certificate of registration to the Department, and upon his failure or refusal so to do, the Department shall have the right to seize the same. (Added by Act approved July 10, 1935.)

§ 12-e. At any time after the suspension or revocation of any certificate, the Department may restore it to the accused person without examination, upon the written recommendation of the Beauty Culture Committee. (Added by Act approved July 10, 1935.)

Sec. 12-f. All final administrative decisions of the Department hereunder shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act", approved May 8, 1945, and all amendments and modifica-

tions thereof, and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 1 of the "Administrative Review Act."

Such proceedings for judicial review shall be commenced in the Circuit or Superior Court of the county in which the party applying for review resides; provided, that if such party is not a resident of this State, the venue shall be in Sangamon County.

The Department shall not be required to certify any record or file any answer or otherwise appear hereunder unless the party filing the complaint deposits with the clerk of the court the sum of five cents per hundred words representing costs of such certification. Failure on the part of the plaintiff to make such deposit shall be grounds for dismissal of the action. (Amended by Act approved July 30, 1949.)

§ 12-g. An order of revocation or suspension or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Committee and the members thereof are qualified to act.

Such proof may be rebutted. Amended by Act approved July 30, 1949.)

§ 12-h. Appeals from all final orders and judgments entered by a Circuit or Superior Court in review of a final administrative decision of the Department may be taken directly to the Supreme Court by either party to the action and shall be governed by the rules applying to other civil cases appealed to said Supreme Court. (Amended by Act approved July 30, 1949.)

§ 12-i. Repealed. (Act approved July 30, 1949.)

§ 13. Upon payment of the required fee, an applicant who is a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province may, without examination, be granted a certificate of registration as a registered beauty culturist by the Department of Registration and Education in its discretion upon the following conditions:

(a) That the applicant is at least sixteen years of age and of good moral character and habits; and

(b) That the requirements for the registration or licensing of beauty culturists in the particular state, territory, country or province were, at the date of the license, substantially equivalent to the requirements then in force in this State.

The Department of Registration and Education shall prescribe reasonable rules and regulations governing the recognition of and the credit to be given to the study of beauty culture under a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province by an applicant for a certificate of registration as a registered beauty culturist.

§ 14. The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration as a registered beauty culturist is ten dollars (\$10.00).

The fee to be paid by an applicant for a certificate of registration as a registered apprentice is one dollar (\$1.00).

The fee to be paid by an applicant to determine his preliminary education is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate of registration as a registered beauty culturist, who is a beauty culturist, registered or licensed under the laws of another

state or territory of the United States or a foreign country or province, is fifteen dollars (\$15.00).

The fee to be paid upon the renewal of a certificate of registration is one dollar (\$1.00).

The fee to be paid for the restoration of an expired certificate of registration as a registered beauty culturist is five dollars (\$5.00).

The fee to be paid for the restoration of an expired certificate of registration as a registered apprentice is two dollars (\$2.00).

The fee to be paid for a second and subsequent examination for registration as a registered beauty culturist is five dollars (\$5.00).

The fee to be paid by an applicant upon filing an application for examination to determine his fitness to teach theory and practical beauty culture is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate to teach theory and practical, or practical beauty culture only, is five dollars (\$5.00).

The fee to be paid for a second and subsequent examination for a certificate to teach theory and practical beauty culture is five dollars (\$5.00).

The fee to be paid by an applicant upon filing an application for change of name and issuance of a certificate of registration thereon is two dollars (\$2.00).

The fee to be paid for a certified statement that a registrant is a registered beauty culturist in this State is five dollars (\$5.00). (Amended by Act approved July 24, 1945.)

§ 15. Repealed by Act approved July 10, 1935.

§ 16. Each of the following, if done after October 1, 1925, constitutes a misdemeanor, punishable upon conviction by a fine of not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00).

(a) The practice of beauty culture or an attempt to practice beauty culture without a certificate of registration as a registered beauty culturist;

(b) Service as an apprentice under a registered beauty culturist or an attempt to serve as an apprentice under a registered beauty culturist without a certificate of registration as an apprentice;

(c) Permitting any person in one's employ, supervision or control, to serve as an apprentice under a registered beauty culturist, unless that person has a certificate of registration as a registered apprentice;

(d) The obtaining of or an attempt to obtain a certificate of registration, or money or any other thing of value by fraudulent misrepresentation;

(e) Practice in the profession, or an attempt to practice in the profession by fraudulent misrepresentation;

(f) Wilfully making of any false oath or affirmation whenever an oath or affirmation is required by this Act;

(g) The violation of the provisions of Section 10 of this Act;

(h) Permitting more than one registered apprentice to serve in one's beauty culture establishment, other than a school of beauty culture approved by the Department of Registration and Education;

(i) Permitting a registered apprentice or any other person not a registered beauty culturist serving under one's supervision to practice beauty culture independently;

(j) Aiding, abetting, or conspiring with any registered apprentice, registered beauty culturist, or any other person in violating the provisions of this Act;

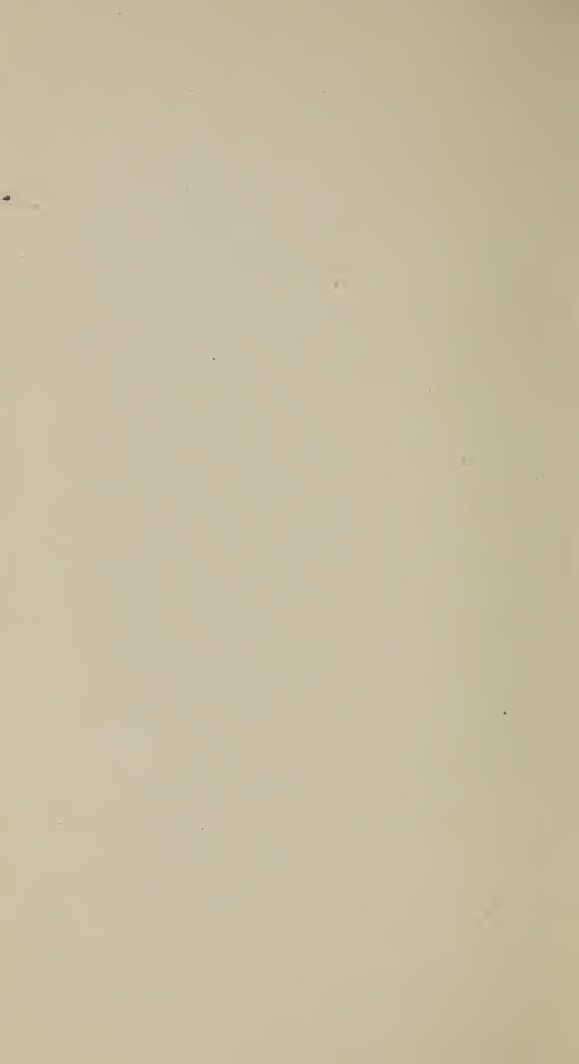
(k) The violation of any of the provisions of this Act. (As amended by Act approved June 20, 1935.)

§ 17. The Department of Registration and Education shall keep a record, which shall be open to public inspection at all reasonable times, of its proceedings relating to the issuance, refusal, renewal, suspension and revocation of certificates of registration. This record shall also contain the name, known place of business and residence and the date and number of the certificate of registration of every registered beauty culturist and registered apprentice in this State.

§ 17a, § 17b. Repealed by Act approved July 24, 1945.

§ 18. This Act may be known and cited as "The Illinois Beauty Culture Act."

[Printed by authority of the State of Illinois]



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THE ILLINOIS BEAUTY CULTURE ACT

STATE OF ILLINOIS
WILLIAM G. STRATTON
GOVERNOR

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DEPARTMENT OF
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Director

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THE ILLINOIS BEAUTY CULTURE ACT

An Act relating to the practice of beauty culture, approved June 30, 1925.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. It is unlawful for any person to practice, or attempt to practice, beauty culture, without a certificate of registration as a registered beauty culturist issued by the Department of Registration and Education, pursuant to the provisions of this Act and of the Civil Administrative Code.

It is also unlawful for any person to serve, or attempt to serve, as an apprentice under a registered beauty culturist without a certificate of registration as a registered apprentice issued by the Department of Registration and Education, pursuant to the provisions of this Act and of the Civil Administrative Code. (Amended by Act approved July 24, 1945.)

§ 2. Any one or any combination of the following practices constitutes the practice of beauty culture when done for cosmetic or beautifying purposes and not for the treatment of disease or of muscular or nervous disorder.

The application of cosmetic preparations to the human body by massaging, stroking, kneading, slapping, tapping, stimulating, manipulating, exercising, cleansing, beautifying, or by means of devices, apparatus or appliances; arranging, dressing, marcelling, curling, waving, cleansing, singeing, bleaching, coloring, dyeing, tinting, or otherwise treating by any means the hair of any person. However, the provisions of this Act shall not authorize any registered beauty culturist to cut or clip the hair of any person unless he

has first obtained a certificate of registration as a barber under the provisions of "An Act to regulate the pursuit of the business, art and avocation of a barber, and to insure the better qualifications of persons following such business in the State of Illinois," approved June 10, 1909, as amended.

§ 3. No registered apprentice may independently practice beauty culture. A registered apprentice may, however, under the immediate personal supervision of a designated registered beauty culturist, assist a registered beauty culturist in the practice of beauty culture but no registered beauty culturist may receive from such registered apprentice any money or thing of value for such assistance. The designation of such registered beauty culturist shall be reported to the Department of Registration and Education by the registered beauty culturist. Not more than one registered apprentice shall serve in any beauty culture establishment, but this section shall not apply to students in schools of beauty culture. (As amended by Act approved July 24, 1945.)

§ 4. The provisions of this Act do not apply to registered barbers, except as to permanent waving and marcel waving.

§ 4-a. The Department of Registration and Education shall exercise, subject to the provisions of this Act, the following functions, powers and duties:

(1) Conduct examinations to ascertain the qualifications and fitness of applicants for certificates of registration as registered beauty culturists, and pass upon the qualifications of applicants for reciprocal licenses, certificates and authorities.

(2) Prescribe rules and regulations for a method of examination of candidates.

(3) Prescribe rules and regulations defining what shall constitute a school, college or

university, or department of a university, or other institution, reputable and in good standing, and to determine the reputability and good standing of a school, college or university, or department of a university or other institution by reference to a compliance with such rules and regulations; but no school, college or university, or department of a university or other institution that refuses admittance to applicants, solely on account of race, color or creed shall be considered reputable and in good standing.

(4) Establish a standard of preliminary education requisite to admission to a school, college or university, and to require satisfactory proof of the enforcement of such standard by schools, colleges and universities.

(5) Conduct hearings on proceedings to suspend or revoke or refuse renewal of licenses, certificates or authorities of persons applying for registration or registered under the provisions of this Act and to suspend, revoke or refuse to renew such licenses or certificates or authorities.

(6) Prescribe reasonable rules and regulations governing the sanitary regulation and inspection of beauty culture shops, subject to the approval of the Department of Public Health.

(7) Formulate rules and regulations when required in any Act to be administered.

None of the foregoing functions or duties enumerated in this section shall be exercised by the Department of Registration and Education except upon the action and report in writing of the Beauty Culture Committee, which shall be composed of persons designated from time to time by the Director of Registration and Education to take such action and to make such report for the profession involved herein as follows:

Three (3) practical beauty culturists, no two to be graduates of the same school, each of whom has been for the last five years preceding his appointment engaged in the occupation of beauty culture in this State, and no one of whom is a member of, or a stockholder in any school of beauty culture, or a manufacturer, jobber or stockholder in any factory of beauty culture articles.

The action and report in writing of a majority of the Committee designated shall be sufficient authority upon which the Director of Registration and Education may act.

In making the designation of persons to act, the Director shall give due consideration to recommendations by members of the profession and by organizations therein.

Whenever the Director is satisfied that substantial justice has not been done in an examination, he may order a re-examination by the same or other examiners. (Amended by Act approved July 24, 1945.)

§ 5. A person is qualified to receive a certificate of registration as a registered beauty culturist:

(a) Who is at least sixteen years of age; and

(b) Who is of good moral character and temperate habits; and

(c) Who has graduated from an eighth grade elementary school, or who has completed an equivalent course of study determined by an examination conducted by the Department of Registration and Education; and

(d) Who has either studied beauty culture for one year as a registered apprentice under a beauty culturist registered under the laws of this State, or has graduated from a school of beauty culture approved by the Department of Registration and Education. No school of beauty culture shall be approved by the Depart-

ment of Registration and Education unless it has a minimum requirement of a course of study consisting of not less than one thousand (1,000) hours extending over a period of not less than six (6) months. Time spent in the study of beauty culture under a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province pursuant to the provisions of Section 13 of this Act, shall be credited upon the period of study required by the provisions of this paragraph; and

(e) Who has passed an examination conducted by the Department of Registration and Education to determine his fitness to receive a certificate of registration as a registered beauty culturist; and

(f) Who is a citizen of the United States or who has made a declaration of intention to become a citizen and having made such declaration has filed a petition for naturalization within thirty days after becoming eligible to do so. (Amended by Act approved July 24, 1945.)

§ 5a. Repealed by Act approved July 24, 1945.

§ 6. A person is qualified to receive a certificate as a registered apprentice:

(a) Who is at least sixteen years of age; and

(b) Who is of good moral character and temperate habits; and

(c) Who has graduated from an eighth grade elementary school, or who has completed an equivalent course of study as determined by an examination conducted by the Department of Registration and Education; and

(d) Who has entered upon the study of beauty culture under a beauty culturist registered under the laws of this State; and

(e) Who is a citizen of the United States or who has made a declaration of intention to become a citizen and having made such declaration has filed a petition for naturalization within thirty days after becoming eligible to do so. (Amended by Act approved July 24, 1945.)

§ 7. Every person who desires to obtain a certificate of registration shall apply therefor to the Department of Registration and Education in writing, on blanks prepared and furnished by the Department of Registration and Education. Each application shall contain proof of the particular qualifications required of the applicant, shall be verified by the applicant under oath, and shall be accompanied by the required fee.

§ 8. The Department of Registration and Education shall hold examinations of applicants for certificates of registration as registered beauty culturists at such times and places as it may determine.

The examination of applicants for certificates of registration as registered beauty culturists may include both practical demonstrations and written or oral tests, and shall embrace the subjects normally taught in schools of beauty culture approved by the Department of Registration and Education.

The Department of Registration and Education shall conduct not less than four (4) examinations for certificates of registration as registered beauty culturists a calendar year. (As amended by Act approved June 20, 1935.)

§ 9. Whenever the provisions of this Act have been complied with, the Department of Registration and Education shall issue a certificate of registration as a registered beauty culturist or a certificate of registration as a registered apprentice, as the case may be. (Amended by Act approved July 24, 1945.)

§ 10. Every holder of a certificate of registration shall display it in a conspicuous place

in his principal office, place of business or employment.

Whenever a registered beauty culturist practices beauty culture outside of or away from his principal office, place of business, or employment, he shall deliver to each person in his care a certificate of identification. This certificate shall contain his signature, the number and date of his certificate of registration, the post office address of his principal office, place of business or employment, and the date upon which the certificate of identification is delivered to the person under his care.

§ 11. Every registered beauty culturist and every registered apprentice who continues in active practice or service shall, annually, on or before the first day of September of each year, renew his certificate of registration and pay the required renewal fee. Every certificate of registration which has not been renewed during the month of September in any year, shall expire on the first day of October in that year. All certificates of registration remaining in good standing on the effective date of this amendatory act shall expire on the first day of October, 1946, unless renewed during the month of September of that year. A registered beauty culturist whose certificate of registration has expired may have his certificate of registration restored immediately upon payment of all lapsed renewal fees and also upon payment of the required restoration fee, provided, however, not more than five (5) years have elapsed since the date of expiration.

A registered beauty culturist whose certificate of registration has expired for more than five (5) years may have his certificate of registration restored only by passing an oral and practical examination to determine his fitness and by paying the required fee.

No certificate of any registered apprentice shall be renewed more than twice and then not unless in the second application for renewal, the applicant presents to the Department of Registration and Education the following: a statement of the time spent in the study of beauty culture and practical application of beauty culture, certified by the registered beauty culturist under whom the service as an apprentice was performed; an affidavit of the registered beauty culturist under whom the service as an apprentice was performed verifying the fact that the applicant has spent at least two hundred fifty (250) hours in the study of beauty culture not including the practical application; provided, that nothing herein contained shall operate to prevent registered apprentice from holding an apprentice license for one year.

An applicant whose certificate as a registered apprentice has been renewed twice, shall not, be granted a certificate as a registered apprentice in a beauty culture establishment under the personal supervision of a beauty culturist, but shall have the right to enter a school of beauty culture approved by the Department of Registration and Education and attend the school for not longer than the duration of the minimum course of study required for graduation from said school. Such an applicant shall not subsequently be admitted to an examination to determine his fitness to receive a certificate of registration as a beauty culturist except on the basis of graduation from said school of beauty culture.

If an applicant for registration as a registered beauty culturist shall be unsuccessful at two examinations conducted by the Department of Registration and Education, he shall, before taking a subsequent examination, furnish evidence that he has diligently pursued the study of beauty culture since his last examination. An applicant who has been re-

jected at the fifth examination shall not again be admitted to an examination unless the Department of Registration and Education, in its discretion, shall permit him to do so. However, any registered beauty culturist or registered apprentice whose certificate of registration has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Coast Guard, or any Women's Auxiliary thereof, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate of registration restored without paying any lapsed renewal fees or restoration fee if within two years after termination of such service, training or education other than by dishonorable discharge he furnishes the Department with an affidavit to the effect that he has been so engaged and that his service, training or education has been so terminated. (Amended by Act approved July 18, 1947.)

§ 12. The Department of Registration and Education may either refuse to renew, or may suspend, or may revoke any certificate of registration for any one or combination of the following causes:

(a) Conviction of a felony as shown by a certified copy of the record of the court of conviction or conviction of any of the misdemeanors listed in Section 16, as shown by a certified copy of the record of the court of conviction:

(b) The obtaining of or an attempt to obtain a certificate of registration, or money, or any other thing of value, by fraudulent misrepresentation;

(c) Practice in the profession, or an attempt to practice in the profession, by fraudulent misrepresentation;

(d) Gross malpractice or gross incompetency;

(e) Continued practice by a person knowingly having an infectious or contagious disease;

(f) Advertising by means of knowingly false or deceptive statements;

(g) Violating any of the sanitary regulations as provided in this Act;

(h) Habitual drunkenness or habitual addiction to the use of morphine, cocaine or other habit forming drugs;

(i) Immoral or unprofessional conduct;

(j) Permitting any person to use for any unlawful or fraudulent purpose one's certificate of registration as a registered beauty culturist or registered apprentice.

The Department may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts which if proven would constitute grounds for refusal, suspension or revocation as hereinabove set forth, investigate the actions of any person holding or claiming to hold a certificate.

The Department shall, before refusing to issue, suspending or revoking any certificate, at least ten (10) days prior to the date set for the hearing, notify in writing the applicant or the holder of such certificate of any charges made and shall afford such accused person an opportunity to be heard in person or by counsel in reference thereto. Such written notice may be served by the delivery of the same personally to the accused person, or by mailing the same by registered mail to the place of business last theretofore specified by the accused person in his last notification to the Department. At the time and place fixed in the notice, the Beauty Culture Committee designated by the Director of Registration and Education, as provided in this Act, shall proceed to hearing of the charges and both

the accused person and the complainant shall be accorded ample opportunity to present in person or by counsel, such statements, testimony, evidence and arguments as may be pertinent to the charges or to any defense thereto. The Committee may continue such hearing from time to time. If the Committee is not sitting at the time and place fixed in the notice or at the time and place to which hearing has been continued, the Department shall continue such hearing for a period not to exceed thirty (30) days.

Upon the suspension or revocation of any certificate of registration the Department of Registration and Education shall stamp such certificate of registration with the words "suspended" or "revoked" as the case may be together with the date of such suspension or revocation.

The entry of a decree by any court of competent jurisdiction establishing the insanity of any person holding a certificate of registration under this Act operates as a suspension of such certificate of registration. Such person may resume his practice only upon a finding by the Beauty Culture Committee that the holder of such certificate of registration has been declared restored to sanity by a court of competent jurisdiction and upon the Committee's recommendation to the Director that such holder be permitted to resume his practice. (As amended by Act filed July 27, 1943.)

§ 12-a. The Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Director, Assistant Director, Superintendent of Registration and any member of the Beauty Culture Committee shall each have

power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department. (Added by Act approved July 10, 1935.)

§ 12-b. Any Circuit or Superior Court or any judge thereof, either in term time or vacation, upon the application of the accused person or complainant or of the Department, may by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the Department in any hearing relative to the application for or refusal, recall, suspension or revocation of certificates of registration, and the court or judge may compel obedience to its or his order by proceedings for contempt. (Added by Act approved July 10, 1935.)

§ 12-c. The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case wherein a certificate is revoked or suspended. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person interested in such hearing upon payment therefor of twenty-five cents per one hundred words for each original transcript and eight cents per one hundred words for each carbon copy thereof ordered with the original: Provided that the charge for any part of such transcript ordered and paid for previous to the writing of the original record thereof shall be eight cents per hundred words. (Added by Act approved July 10, 1935.)

§ 12-d. The Committee shall present to the Director its written report of its findings and recommendations. A copy of such report shall be served upon the accused person, either personally or by registered mail as provided in this section for the service of the citation. Within twenty (20) days after such service, said accused person may present to the Department his motion in writing for a rehearing, which written motion shall specify the particular grounds therefor. If said accused person shall order and pay for a transcript of the record as provided in this section, the time elapsing thereafter and before such transcript is ready for delivery to him shall not be counted as part of such twenty days.

Whenever the Director is satisfied that substantial justice has not been done, he may order a rehearing by the same or another special committee. At the expiration of the time specified for filing a motion for a rehearing the Director shall have the right to take the action recommended by the committee. Upon the suspension or revocation of his certificate of registration a registrant shall be required to surrender his certificate of registration to the Department, and upon his failure or refusal so to do, the Department shall have the right to seize the same. (Added by Act approved July 10, 1935.)

§ 12-e. At any time after the suspension or revocation of any certificate, the Department may restore it to the accused person without examination, upon the written recommendation of the Beauty Culture Committee. (Added by Act approved July 10, 1935.)

Sec. 12-f. All final administrative decisions of the Department hereunder shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act", approved May 8, 1945, and all amendments and modifica-

tions thereof, and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 1 of the "Administrative Review Act."

Such proceedings for judicial review shall be commenced in the Circuit or Superior Court of the county in which the party applying for review resides; provided, that if such party is not a resident of this State, the venue shall be in Sangamon County.

The Department shall not be required to certify any record or file any answer or otherwise appear hereunder unless the party filing the complaint deposits with the clerk of the court the sum of five cents per hundred words representing costs of such certification. Failure on the part of the plaintiff to make such deposit shall be grounds for dismissal of the action. (Amended by Act approved July 30, 1949.)

§ 12-g. An order of revocation or suspension or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Committee and the members thereof are qualified to act.

Such proof may be rebutted. (Amended by Act approved July 30, 1949.)

§ 12-h. Appeals from all final orders and judgments entered by a Circuit or Superior Court in review of a final administrative decision of the Department may be taken directly to the Supreme Court by either party to the action and shall be governed by the rules applying to other civil cases appealed to said Supreme Court. (Amended by Act approved July 30, 1949.)

§ 12-i. Repealed. (Act approved July 30, 1949.)

§ 13. Upon payment of the required fee, an applicant who is a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province may, without examination, be granted a certificate of registration as a registered beauty culturist by the Department of Registration and Education in its discretion upon the following conditions:

(a) That the applicant is at least sixteen years of age and of good moral character and habits; and

(b) That the requirements for the registration or licensing of beauty culturists in the particular state, territory, country or province were, at the date of the license, substantially equivalent to the requirements then in force in this State.

The Department of Registration and Education shall prescribe reasonable rules and regulations governing the recognition of and the credit to be given to the study of beauty culture under a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province by an applicant for a certificate of registration as a registered beauty culturist.

§ 14. The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration as a registered beauty culturist is ten dollars (\$10.00).

The fee to be paid by an applicant for a certificate of registration as a registered apprentice is one dollar (\$1.00).

The fee to be paid by an applicant to determine his preliminary education is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate of registration as a registered beauty culturist, who is a beauty culturist, registered or licensed under the laws of another

state or territory of the United States or a foreign country or province, is fifteen dollars (\$15.00).

The fee to be paid upon the renewal of a certificate of registration is one dollar (\$1.00).

The fee to be paid for the restoration of an expired certificate of registration as a registered beauty culturist is five dollars (\$5.00).

The fee to be paid for the restoration of an expired certificate of registration as a registered apprentice is two dollars (\$2.00).

The fee to be paid for a second and subsequent examination for registration as a registered beauty culturist is five dollars (\$5.00).

The fee to be paid by an applicant upon filing an application for examination to determine his fitness to teach theory and practical beauty culture is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate to teach theory and practical, or practical beauty culture only, is five dollars (\$5.00).

The fee to be paid for a second and subsequent examination for a certificate to teach theory and practical beauty culture is five dollars (\$5.00).

The fee to be paid by an applicant upon filing an application for change of name and issuance of a certificate of registration thereon is two dollars (\$2.00).

The fee to be paid for a certified statement that a registrant is a registered beauty culturist in this State is five dollars (\$5.00). (Amended by Act approved July 24, 1945.)

§ 15. Repealed by Act approved July 10, 1935.

§ 15-a. The practice of beauty culture by any person who has not been issued a certificate of registration by the Department, or whose certificate of registration has been suspended or revoked, or whose certificate of

registration has not been renewed, is hereby declared to be inimical to the public welfare and to constitute a public nuisance. The Director of Registration and Education may, in the name of the People of the State of Illinois, through the Attorney General of the State of Illinois, or the State's Attorney of any county in the State of Illinois, apply for an injunction in any court of competent jurisdiction to enjoin any person who has not been issued a certificate of registration or whose certificate of registration has been suspended or revoked, or whose certificate of registration has not been renewed, from practicing beauty culture; and, upon the filing of a verified petition in such court, the court or any judge thereof, if satisfied by affidavit, or otherwise, that such person is or has been practicing beauty culture without having been issued a certificate of registration or after his certificate of registration has been suspended or revoked, or after his certificate of registration has not been renewed, may issue a temporary injunction, without notice or bond, enjoining the defendant from further practicing beauty culture. A copy of said verified complaint shall be served upon the defendant and the proceedings shall thereafter be conducted as in other civil cases. If it be established that said defendant has been, or is practicing beauty culture without having been issued a certificate of registration or has been or is practicing beauty culture after his certificate of registration has been suspended or revoked, or after his certificate of registration has not been renewed, the court, or any judge thereof, may enter a decree perpetually enjoining said defendant from further practicing beauty culture. In case of violation of any injunction issued under the provisions of this section, the court, or any judge thereof, may summarily try and punish the offender for contempt of court. Such injunction proceeding shall be in addition to, and not in lieu of, all

penalties and other remedies in this Act provided. (Added by Act approved July 10, 1953.)

§ 16. Whoever violates any of the following shall, for the first offense, be fined not less than \$100 nor more than \$500; for the second offense, be fined not less than \$500 nor more than \$1000; and for subsequent offenses, shall be imprisoned in the county jail for not less than six months nor more than one year.

(a) The practice of beauty culture or an attempt to practice beauty culture without a certificate of registration as a registered beauty culturist;

(b) Service as an apprentice under a registered beauty culturist or an attempt to serve as an apprentice under a registered beauty culturist without a certificate of registration as an apprentice;

(c) Permitting any person in one's employ, supervision or control, to serve as an apprentice under a registered beauty culturist, unless that person has a certificate of registration as a registered apprentice;

(d) The obtaining of or an attempt to obtain a certificate of registration, or money or any other thing of value by fraudulent misrepresentation;

(e) Practice in the profession, or an attempt to practice in the profession by fraudulent misrepresentation;

(f) Wilfully making of any false oath or affirmation whenever an oath or affirmation is required by this Act;

(g) The violation of the provisions of Section 10 of this Act;

(h) Permitting more than one registered apprentice to serve in one's beauty culture establishment, other than a school of beauty

culture approved by the Department of Registration and Education;

(i) Permitting a registered apprentice or any other person not a registered beauty culturist serving under one's supervision to practice beauty culture independently;

(j) Aiding, abetting, or conspiring with any registered apprentice, registered beauty culturist, or any other person in violating the provisions of this Act;

(k) If a fine is collected, one-half of the fine so collected shall be paid to the county where suit is brought and one-half shall be paid to the Department of Registration and Education. (Amended by Act approved July 24, 1951.)

§ 17. The Department of Registration and Education shall keep a record, which shall be open to public inspection at all reasonable times, of its proceedings relating to the issuance, refusal, renewal, suspension and revocation of certificates of registration. This record shall also contain the name, known place of business and residence and the date and number of the certificate of registration of every registered beauty culturist and registered apprentice in this State.

§ 17a, § 17b. Repealed by Act approved July 24, 1945.

§ 18. This Act may be known and cited as "The Illinois Beauty Culture Act."

(Printed by Authority of the State of Illinois)



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THE ILLINOIS
BEAUTY CULTURE ACT

STATE OF ILLINOIS
WILLIAM G. STRATTON
GOVERNOR

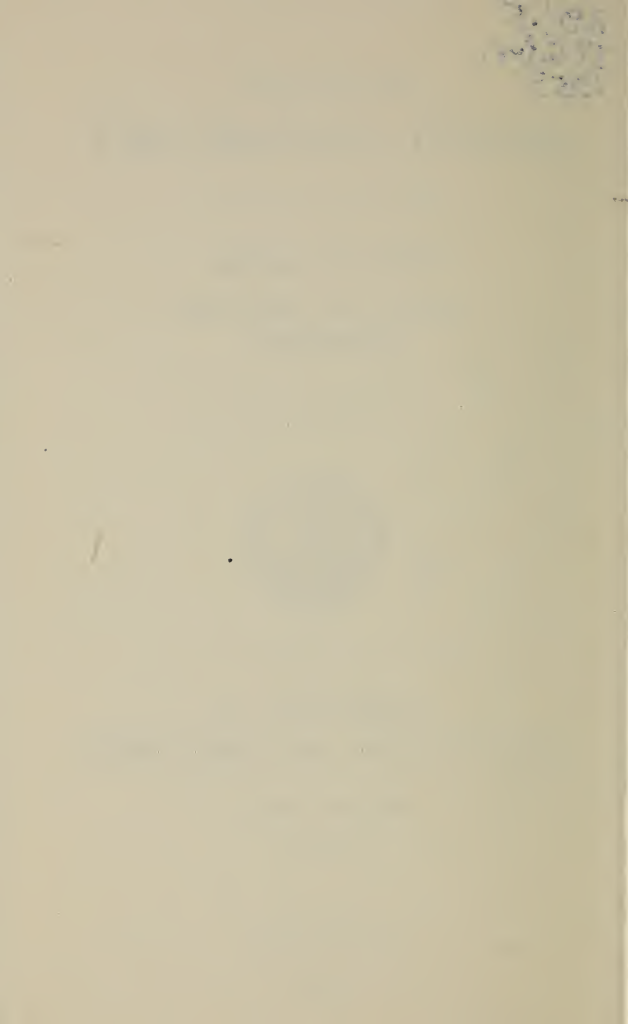


DEPARTMENT OF
REGISTRATION AND EDUCATION

VERA M. BINKS
Director

SPRINGFIELD

1955



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1955

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THE ILLINOIS BEAUTY CULTURE ACT

An Act relating to the practice of beauty culture, approved June 30, 1925.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. It is unlawful for any person to practice, or attempt to practice, beauty culture, without a certificate of registration as a registered beauty culturist issued by the Department of Registration and Education, pursuant to the provisions of this Act and of the Civil Administrative Code.

It is also unlawful for any person to serve, or attempt to serve, as an apprentice under a registered beauty culturist without a certificate of registration as a registered apprentice issued by the Department of Registration and Education, pursuant to the provisions of this Act and of the Civil Administrative Code. (Amended by Act approved July 24, 1945.)

§ 2. Any one or any combination of the following practices constitutes the practice of beauty culture when done for cosmetic or beautifying purposes and not for the treatment of disease or of muscular or nervous disorder.

The application of cosmetic preparations to the human body by massaging, stroking, kneading, slapping, tapping, stimulating, manipulating, exercising, cleansing, beautifying, or by means of devices, apparatus or appliances; arranging, dressing, marcelling, curling, waving, cleansing, singeing, bleaching, coloring, dyeing, tinting, or otherwise treating by any means the hair of any person. However, the provisions of this Act shall not authorize any registered beauty culturist to cut or clip the hair of any person unless he has first obtained a certificate of registration

as a barber under the provisions of "An Act to regulate the pursuit of the business, art and avocation of a barber, and to insure the better qualifications of persons following such business in the State of Illinois," approved June 10, 1909, as amended.

§ 3. No registered apprentice may independently practice beauty culture. A registered apprentice may, however, under the immediate personal supervision of a designated registered beauty culturist, assist a registered beauty culturist in the practice of beauty culture but no registered beauty culturist may receive from such registered apprentice any money or thing of value for such assistance. The designation of such registered beauty culturist shall be reported to the Department of Registration and Education by the registered beauty culturist. Not more than one registered apprentice shall serve in any beauty culture establishment, but this section shall not apply to students in schools of beauty culture. (As amended by Act approved July 24, 1945.)

§ 4. The provisions of this Act do not apply to registered barbers, except as to permanent waving and marcel waving.

Nothing in this Act shall be construed to apply to the educational activities conducted in connection with any monthly, annual or other special educational program of any bona fide association of licensed cosmetologists, from which the general public is excluded. (Amended by Act approved July 11, 1955.)

§ 4-a. The Department of Registration and Education shall exercise, subject to the provisions of this Act, the following functions, powers and duties:

(1) Conduct examinations to ascertain the qualifications and fitness of applicants for certificates of registration as registered beauty culturists, and pass upon the qualifications of applicants for reciprocal licenses, certificates and authorities.

(2) Prescribe rules and regulations for a method of examination of candidates.

(3) Prescribe rules and regulations defining what shall constitute a school, college or university, or department of a university, or other institution, reputable and in good standing, and to determine the reputability and good standing of a school, college or university, or department of a university or other institution by reference to a compliance with such rules and regulations; but no school, college or university, or department of a university or other institution that refuses admittance to applicants, solely on account of race, color or creed shall be considered reputable and in good standing.

(4) Establish a standard of preliminary education requisite to admission to a school, college or university, and to require satisfactory proof of the enforcement of such standard by schools, colleges and universities.

(5) Conduct hearings on proceedings to suspend or revoke or refuse renewal of licenses, certificates or authorities of persons applying for registration or registered under the provisions of this Act and to suspend, revoke or refuse to renew such licenses or certificates or authorities.

(6) Prescribe reasonable rules and regulations governing the sanitary regulation and inspection of beauty culture shops, subject to the approval of the Department of Public Health.

(7) Formulate rules and regulations when required in any Act to be administered.

None of the foregoing functions or duties enumerated in this section shall be exercised by the Department of Registration and Education except upon the action and report in writing of the Beauty Culture Committee, which shall be composed of persons designated from time to time by the Director of Registra-

tion and Education to take such action and to make such report for the profession involved herein as follows:

Three (3) practical beauty culturists, no two to be graduates of the same school, each of whom has been for the last five years preceding his appointment engaged in the occupation of beauty culture in this State, and no one of whom is a member of, or a stockholder in any school of beauty culture, or a manufacturer, jobber or stockholder in any factory of beauty culture articles.

The action and report in writing of a majority of the Committee designated shall be sufficient authority upon which the Director of Registration and Education may act.

In making the designation of persons to act, the Director shall give due consideration to recommendations by members of the profession and by organizations therein.

Whenever the Director is satisfied that substantial justice has not been done in an examination, he may order a re-examination by the same or other examiners. (Amended by Act approved July 24, 1945.)

§ 5. A person is qualified to receive a certificate of registration as a registered beauty culturist:

(a) Who is at least sixteen years of age; and

(b) Who is of good moral character and temperate habits; and

(c) Who has graduated from an eighth grade elementary school, or who has completed an equivalent course of study determined by an examination conducted by the Department of Registration and Education; and

(d) Who has either studied beauty culture for one year as a registered apprentice under a beauty culturist registered under the laws of this State, or has graduated from a school of beauty culture approved by the Department

of Registration and Education. No school of beauty culture shall be approved by the Department of Registration and Education unless it has a minimum requirement of a course of study consisting of not less than one thousand (1,000) hours extending over a period of not less than six (6) months. Time spent in the study of beauty culture under a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province pursuant to the provisions of Section 13 of this Act, shall be credited upon the period of study required by the provisions of this paragraph; and

(e) Who has passed an examination conducted by the Department of Registration and Education to determine his fitness to receive a certificate of registration as a registered beauty culturist; and

(f) Who is a citizen of the United States or who has made a declaration of intention to become a citizen and having made such declaration has filed a petition for naturalization within thirty days after becoming eligible to do so. (Amended by Act approved July 24, 1945.)

§ 5a. Repealed by Act approved July 24, 1945.

§ 6. A person is qualified to receive a certificate as a registered apprentice:

(a) Who is at least sixteen years of age; and

(b) Who is of good moral character and temperate habits; and

(c) Who has graduated from an eighth grade elementary school, or who has completed an equivalent course of study as determined by an examination conducted by the Department of Registration and Education; and

(d) Who has entered upon the study of beauty culture under a beauty culturist registered under the laws of this State; and

(e) Who is a citizen of the United States or who has made a declaration of intention to become a citizen and having made such declaration has filed a petition for naturalization within thirty days after becoming eligible to do so. (Amended by Act approved July 24, 1945.)

§ 7. Every person who desires to obtain a certificate of registration shall apply therefor to the Department of Registration and Education in writing, on blanks prepared and furnished by the Department of Registration and Education. Each application shall contain proof of the particular qualifications required of the applicant, shall be verified by the applicant under oath, and shall be accompanied by the required fee.

§ 8. The Department of Registration and Education shall hold examinations of applicants for certificates of registration as registered beauty culturists at such times and places as it may determine.

The examination of applicants for certificates of registration as registered beauty culturists may include both practical demonstrations and written or oral tests, and shall embrace the subjects normally taught in schools of beauty culture approved by the Department of Registration and Education.

The Department of Registration and Education shall conduct not less than four (4) examinations for certificates of registration as registered beauty culturists a calendar year. (As amended by Act approved June 20, 1935.)

§ 9. Whenever the provisions of this Act have been complied with, the Department of Registration and Education shall issue a certificate of registration as a registered beauty culturist or a certificate of registration as a registered apprentice, as the case may be. (Amended by Act approved July 24, 1945.)

§ 10. Every holder of a certificate of registration shall display it in a conspicuous place

in his principal office, place of business or employment.

Whenever a registered beauty culturist practices beauty culture outside of or away from his principal office, place of business, or employment, he shall deliver to each person in his care a certificate of identification. This certificate shall contain his signature, the number and date of his certificate of registration, the post office address of his principal office, place of business or employment, and the date upon which the certificate of identification is delivered to the person under his care.

§ 11. Every registered beauty culturist and every registered apprentice who continues in active practice or service shall, annually, on or before the first day of September of each year, renew his certificate of registration and pay the required renewal fee. Every certificate of registration which has not been renewed during the month of September in any year, shall expire on the first day of October in that year. All certificates of registration remaining in good standing on the effective date of this amendatory act shall expire on the first day of October, 1946, unless renewed during the month of September of that year. A registered beauty culturist whose certificate of registration has expired may have his certificate of registration restored immediately upon payment of all lapsed renewal fees and also upon payment of the required restoration fee, provided, however, not more than five (5) years have elapsed since the date of expiration.

A registered beauty culturist whose certificate of registration has expired for more than five (5) years may have his certificate of registration restored only by passing an oral and practical examination to determine his fitness and by paying the required fee.

No certificate of any registered apprentice shall be renewed more than twice and then not unless in the second application for renewal, the applicant presents to the Department of Registration and Education the following: a statement of the time spent in the study of beauty culture and practical application of beauty culture, certified by the registered beauty culturist under whom the service as an apprentice was performed; an affidavit of the registered beauty culturist under whom the service as an apprentice was performed verifying the fact that the applicant has spent at least two hundred fifty (250) hours in the study of beauty culture not including the practical application; provided, that nothing herein contained shall operate to prevent registered apprentice from holding an apprentice license for one year.

An applicant whose certificate as a registered apprentice has been renewed twice, shall not, be granted a certificate as a registered apprentice in a beauty culture establishment under the personal supervision of a beauty culturist, but shall have the right to enter a school of beauty culture approved by the Department of Registration and Education and attend the school for not longer than the duration of the minimum course of study required for graduation from said school. Such an applicant shall not subsequently be admitted to an examination to determine his fitness to receive a certificate of registration as a beauty culturist except on the basis of graduation from said school of beauty culture.

If an applicant for registration as a registered beauty culturist shall be unsuccessful at two examinations conducted by the Department of Registration and Education, he shall, before taking a subsequent examination, furnish evidence that he has diligently pursued the study of beauty culture since his last examination. An applicant who has been re-

jected at the fifth examination shall not again be admitted to an examination unless the Department of Registration and Education, in its discretion, shall permit him to do so. However, any registered beauty culturist or registered apprentice whose certificate of registration has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Coast Guard, or any Women's Auxiliary thereof, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate of registration restored without paying any lapsed renewal fees or restoration fee if within two years after termination of such service, training or education other than by dishonorable discharge he furnishes the Department with an affidavit to the effect that he has been so engaged and that his service, training or education has been so terminated. (Amended by Act approved July 18, 1947.)

§ 12. The Department of Registration and Education may either refuse to renew, or may suspend, or may revoke any certificate of registration for any one or combination of the following causes:

(a) Conviction of a felony as shown by a certified copy of the record of the court of conviction or conviction of any of the misdemeanors listed in Section 16, as shown by a certified copy of the record of the court of conviction:

(b) The obtaining of or an attempt to obtain a certificate of registration, or money, or any other thing of value, by fraudulent misrepresentation;

(c) Practice in the profession, or an attempt to practice in the profession, by fraudulent misrepresentation;

(d) Gross malpractice or gross incompetency;

(e) Continued practice by a person knowingly having an infectious or contagious disease;

(f) Advertising by means of knowingly false or deceptive statements;

(g) Violating any of the sanitary regulations as provided in this Act;

(h) Habitual drunkenness or habitual addiction to the use of morphine, cocaine or other habit forming drugs;

(i) Immoral or unprofessional conduct;

(j) Permitting any person to use for any unlawful or fraudulent purpose one's certificate of registration as a registered beauty culturist or registered apprentice.

The Department may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts which if proven would constitute grounds for refusal, suspension or revocation as hereinabove set forth, investigate the actions of any person holding or claiming to hold a certificate.

The Department shall, before refusing to issue, suspending or revoking any certificate, at least ten (10) days prior to the date set for the hearing, notify in writing the applicant or the holder of such certificate of any charges made and shall afford such accused person an opportunity to be heard in person or by counsel in reference thereto. Such written notice may be served by the delivery of the same personally to the accused person, or by mailing the same by registered mail to the place of business last theretofore specified by the accused person in his last notification to the Department. At the time and place fixed in the notice, the Beauty Culture Committee designated by the Director of Registration and Education, as provided in this Act, shall proceed to hearing of the charges and both

the accused person and the complainant shall be accorded ample opportunity to present in person or by counsel, such statements, testimony, evidence and arguments as may be pertinent to the charges or to any defense thereto. The Committee may continue such hearing from time to time. If the Committee is not sitting at the time and place fixed in the notice or at the time and place to which hearing has been continued, the Department shall continue such hearing for a period not to exceed thirty (30) days.

Upon the suspension or revocation of any certificate of registration the Department of Registration and Education shall stamp such certificate of registration with the words "suspended" or "revoked" as the case may be together with the date of such suspension or revocation.

The entry of a decree by any court of competent jurisdiction establishing the insanity of any person holding a certificate of registration under this Act operates as a suspension of such certificate of registration. Such person may resume his practice only upon a finding by the Beauty Culture Committee that the holder of such certificate of registration has been declared restored to sanity by a court of competent jurisdiction and upon the Committee's recommendation to the Director that such holder be permitted to resume his practice. (As amended by Act filed July 27, 1943.)

§ 12-a. The Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Director, Assistant Director, Superintendent of Registration and any member of the Beauty Culture Committee shall each have

power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department. (Added by Act approved July 10, 1935.)

§ 12-b. Any Circuit or Superior Court or any judge thereof, either in term time or vacation, upon the application of the accused person or complainant or of the Department, may by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the Department in any hearing relative to the application for or refusal, recall, suspension or revocation of certificates of registration, and the court or judge may compel obedience to its or his order by proceedings for contempt. (Added by Act approved July 10, 1935.)

§ 12-c. The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case wherein a certificate is revoked or suspended. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person interested in such hearing upon payment therefor of twenty-five cents per one hundred words for each original transcript and eight cents per one hundred words for each carbon copy thereof ordered with the original: Provided that the charge for any part of such transcript ordered and paid for previous to the writing of the original record thereof shall be eight cents per hundred words. (Added by Act approved July 10, 1935.)

§ 12-d. The Committee shall present to the Director its written report of its findings and recommendations. A copy of such report shall be served upon the accused person, either personally or by registered mail as provided in this section for the service of the citation. Within twenty (20) days after such service, said accused person may present to the Department his motion in writing for a rehearing, which written motion shall specify the particular grounds therefor. If said accused person shall order and pay for a transcript of the record as provided in this section, the time elapsing thereafter and before such transcript is ready for delivery to him shall not be counted as part of such twenty days.

Whenever the Director is satisfied that substantial justice has not been done, he may order a rehearing by the same or another special committee. At the expiration of the time specified for filing a motion for a rehearing the Director shall have the right to take the action recommended by the committee. Upon the suspension or revocation of his certificate of registration a registrant shall be required to surrender his certificate of registration to the Department, and upon his failure or refusal so to do, the Department shall have the right to seize the same. (Added by Act approved July 10, 1935.)

§ 12-e. At any time after the suspension or revocation of any certificate, the Department may restore it to the accused person without examination, upon the written recommendation of the Beauty Culture Committee. (Added by Act approved July 10, 1935.)

§ 12-f. All final administrative decisions of the Department hereunder shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act", approved May 8, 1945, and all amendments and modifica-

tions thereof, and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 1 of the "Administrative Review Act."

Such proceedings for judicial review shall be commenced in the Circuit or Superior Court of the county in which the party applying for review resides; provided, that if such party is not a resident of this State, the venue shall be in Sangamon County.

The Department shall not be required to certify any record or file any answer or otherwise appear hereunder unless the party filing the complaint deposits with the clerk of the court the sum of five cents per hundred words representing costs of such certification. Failure on the part of the plaintiff to make such deposit shall be grounds for dismissal of the action. (Amended by Act approved July 30, 1949.)

§ 12-g. An order of revocation or suspension or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Committee and the members thereof are qualified to act.

Such proof may be rebutted. (Amended by Act approved July 30, 1949.)

§ 12-h. Appeals from all final orders and judgments entered by a Circuit or Superior Court in review of a final administrative decision of the Department may be taken directly to the Supreme Court by either party to the action and shall be governed by the rules applying to other civil cases appealed to said Supreme Court. (Amended by Act approved July 30, 1949.)

§ 12-i. Repealed. (Act approved July 30, 1949.)

§ 13. Upon payment of the required fee, an applicant who is a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province may, without examination, be granted a certificate of registration as a registered beauty culturist by the Department of Registration and Education in its discretion upon the following conditions:

(a) That the applicant is at least sixteen years of age and of good moral character and habits; and

(b) That the requirements for the registration or licensing of beauty culturists in the particular state, territory, country or province were, at the date of the license, substantially equivalent to the requirements then in force in this State.

The Department of Registration and Education shall prescribe reasonable rules and regulations governing the recognition of and the credit to be given to the study of beauty culture under a beauty culturist registered or licensed under the laws of another state or territory of the United States or of a foreign country or province by an applicant for a certificate of registration as a registered beauty culturist.

§ 14. The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration as a registered beauty culturist is ten dollars (\$10.00).

The fee to be paid by an applicant for a certificate of registration as a registered apprentice is one dollar (\$1.00).

The fee to be paid by an applicant to determine his preliminary education is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate of registration as a registered beauty culturist, who is a beauty culturist, registered or licensed under the laws of another

state or territory of the United States or a foreign country or province, is fifteen dollars (\$15.00).

The fee to be paid upon the renewal of a certificate of registration is one dollar (\$1.00).

The fee to be paid for the restoration of an expired certificate of registration as a registered beauty culturist is five dollars (\$5.00).

The fee to be paid for the restoration of an expired certificate of registration as a registered apprentice is two dollars (\$2.00).

The fee to be paid for a second and subsequent examination for registration as a registered beauty culturist is five dollars (\$5.00).

The fee to be paid by an applicant upon filing an application for examination to determine his fitness to teach theory and practical beauty culture is five dollars (\$5.00).

The fee to be paid by an applicant for a certificate to teach theory and practical, or practical beauty culture only, is five dollars (\$5.00).

The fee to be paid for a second and subsequent examination for a certificate to teach theory and practical beauty culture is five dollars (\$5.00).

The fee to be paid by an applicant upon filing an application for change of name and issuance of a certificate of registration thereon is two dollars (\$2.00).

The fee to be paid for a certified statement that a registrant is a registered beauty culturist in this State is five dollars (\$5.00). (Amended by Act approved July 24, 1945.)

§ 15. Repealed by Act approved July 10, 1935.

§ 15-a. The practice of beauty culture by any person who has not been issued a certificate of registration by the Department, or whose certificate of registration has been suspended or revoked, or whose certificate of

registration has not been renewed, is hereby declared to be inimical to the public welfare and to constitute a public nuisance. The Director of Registration and Education may, in the name of the People of the State of Illinois, through the Attorney General of the State of Illinois, or the State's Attorney of any county in the State of Illinois, apply for an injunction in any court of competent jurisdiction to enjoin any person who has not been issued a certificate of registration or whose certificate of registration has been suspended or revoked, or whose certificate of registration has not been renewed, from practicing beauty culture; and, upon the filing of a verified petition in such court, the court or any judge thereof, if satisfied by affidavit, or otherwise, that such person is or has been practicing beauty culture without having been issued a certificate of registration or after his certificate of registration has been suspended or revoked, or after his certificate of registration has not been renewed, may issue a temporary injunction, without notice or bond, enjoining the defendant from further practicing beauty culture. A copy of said verified complaint shall be served upon the defendant and the proceedings shall thereafter be conducted as in other civil cases. If it be established that said defendant has been, or is practicing beauty culture without having been issued a certificate of registration or has been or is practicing beauty culture after his certificate of registration has been suspended or revoked, or after his certificate of registration has not been renewed, the court, or any judge thereof, may enter a decree perpetually enjoining said defendant from further practicing beauty culture. In case of violation of any injunction issued under the provisions of this section, the court, or any judge thereof, may summarily try and punish the offender for contempt of court. Such injunction proceeding shall be in addition to, and not in lieu of, all

penalties and other remedies in this Act provided. (Added by Act approved July 10, 1953.)

§ 16. Whoever violates any of the following shall, for the first offense, be fined not less than \$100 nor more than \$500; for the second offense, be fined not less than \$500 nor more than \$1000; and for subsequent offenses, shall be imprisoned in the county jail for not less than six months nor more than one year.

(a) The practice of beauty culture or an attempt to practice beauty culture without a certificate of registration as a registered beauty culturist;

(b) Service as an apprentice under a registered beauty culturist or an attempt to serve as an apprentice under a registered beauty culturist without a certificate of registration as an apprentice;

(c) Permitting any person in one's employ, supervision or control, to serve as an apprentice under a registered beauty culturist, unless that person has a certificate of registration as a registered apprentice;

(d) The obtaining of or an attempt to obtain a certificate of registration, or money or any other thing of value by fraudulent misrepresentation;

(e) Practice in the profession, or an attempt to practice in the profession by fraudulent misrepresentation;

(f) Wilfully making of any false oath or affirmation whenever an oath or affirmation is required by this Act;

(g) The violation of the provisions of Section 10 of this Act;

(h) Permitting more than one registered apprentice to serve in one's beauty culture establishment, other than a school of beauty

culture approved by the Department of Registration and Education;

(i) Permitting a registered apprentice or any other person not a registered beauty culturist serving under one's supervision to practice beauty culture independently;

(j) Aiding, abetting, or conspiring with any registered apprentice, registered beauty culturist, or any other person in violating the provisions of this Act;

(k) If a fine is collected, one-half of the fine so collected shall be paid to the county where suit is brought and one-half shall be paid to the Department of Registration and Education. (Amended by Act approved July 24, 1951.)

§ 17. The Department of Registration and Education shall keep a record, which shall be open to public inspection at all reasonable times, of its proceedings relating to the issuance, refusal, renewal, suspension and revocation of certificates of registration. This record shall also contain the name, known place of business and residence and the date and number of the certificate of registration of every registered beauty culturist and registered apprentice in this State.

§ 17a, § 17b. Repealed by Act approved July 24, 1945.

§ 18. This Act may be known and cited as "The Illinois Beauty Culture Act."

(Printed by Authority of the State of Illinois)



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